



NOTICE OF MEETING

STATE PUBLIC WORKS BOARD

Friday, May 9, 2014, at 10:00 a.m. in Room 113, State
Capitol, Sacramento, California

AGENDA WITH ANALYSIS

- | | | | |
|------|---|------|----|
| I. | Roll Call | | |
| II. | Approval of minutes from the April 1, and April 11, 2014 meetings | | |
| III. | Consent Items | Page | 2 |
| IV. | Action Item | Page | 16 |
| V. | Other Business | Page | 30 |
| VI. | Reportables | Page | 31 |

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 Aurelia Bethea at (916) 445-9694 or e-mail to aurelia.bethea@dof.ca.gov five days prior to the meeting.

CONSENT ITEMS

CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
RENOVATION AND ADDITION TO WILLOWS COURTHOUSE
GLENN COUNTY

AOC Facility Number: 11-A1

*Authority: Sections 70371.5 and 70371.7 of the Government Code
Chapter 20, Statutes of 2013, Item 0250-301-3138(1)*

Consider approving preliminary plans

CONSENT ITEMS

STAFF ANALYSIS ITEM—1

Judicial Council of California
Administrative Office of the Courts
Renovation and Addition to Willows Courthouse
Glenn County

Action Requested

If approved, the requested action will approve preliminary plans.

Scope Description

This project is within scope. The authorized scope for this project includes the renovation of the existing one-courtroom, 15,798 program gross square feet (gsf) historic courthouse and the construction of a new 26,069 program gsf two-courtroom addition, in the City of Willows, Glenn County. The project will consolidate court operations from two other facilities and will relieve the current space shortfall, increase security, and replace inadequate and obsolete facilities in Glenn County.

Funding and Cost Verification

This project is within cost. A total of \$42,932,000 has been appropriated for this project. Based on the completed preliminary plans estimate, total project costs have decreased by \$1,979,000 (construction), mainly as a result of decreased construction escalation costs.

- \$42,932,000 total authorized project costs
- \$40,953,000 total estimated project costs
- \$ 3,560,000 project costs previously allocated: \$1,539,000 acquisition and \$2,021,000 preliminary plans
- \$37,393,000 project costs to be allocated: \$2,600,000 working drawings and \$34,793,000 construction (\$29,290,000 contract, \$2,095,000 contingency, \$1,394,000 A&E, and \$2,014,000 other project costs)
- \$ 1,979,000 estimated savings: construction

CEQA

A Notice of Exemption (Categorical) was filed with the State Clearinghouse on December 1, 2010, and the 35-day statute of limitations expired on January 5, 2011, without challenge.

Real Estate Due Diligence

A Summary of Conditions letter for this project was completed on April 23, 2014, and no issues that would adversely affect the quiet use and enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	May 2014
Complete working drawings	March 2015
Start construction	May 2015
Complete construction	September 2016

Staff Recommendation: Approve preliminary plans.

CONSENT ITEMS

CONSENT ITEM—2

DEPARTMENT OF PARKS AND RECREATION (3790)
HUNGRY VALLEY STATE VEHICLE RECREATION AREA, FRAZIER MOUNTAIN
KERN COUNTY

DPR Parcel Number 017050, DGS Parcel Number 10820

Authority: Chapter 712, Statutes of 2010, Item 3790-301-0263(7), as reappropriated by the Budget Act of 2013

Consider authorizing site selection

CONSENT ITEMS

STAFF ANALYSIS ITEM—2

Department of Parks and Recreation
Hungry Valley State Vehicle Recreation Area, Frazier Mountain
Kern County

Action Requested

If approved, the requested action would authorize site selection.

Scope Description

This project is within scope. This request will authorize the Department of Parks and Recreation (Parks) to pursue the purchase of approximately 845 acres of land (Property) to be used as buffer space for the Hungry Valley State Vehicle Recreation Area (SVRA) until a future general planning effort for the SVRA can be undertaken to determine if other land uses are appropriate. The unimproved site is contiguous to the SVRA and is located on the south side of Frazier Mountain Park Road, less than a quarter of a mile west of Interstate 5 in the city of Frazier Park, Kern County.

Funding and Cost Verification

This project is within cost. A total of \$31,425,000 has been appropriated for opportunity and in-holding acquisitions in Southern California. The balance of the appropriation is sufficient to acquire the subject parcels in accordance with legislative intent.

CEQA

The Parks filed a Notice of Exemption with the State Clearinghouse on April 11, 2014, and the 35-day statute of limitations period will expire on May 16, 2014. CEQA will be completed prior to Parks seeking approval of acquisition. The Parks also plans to hold a public hearing this summer to solicit public feedback on the possible acquisition of the subject property.

Project Schedule

Close of escrow June 2014

Condition of Property

The topography of the site is moderate to steep-sided ravines and dry alluvial washes incised into dissected alluvial fans along the eastern flank of Frazier Mountain in the northeastern part of the east-west oriented mountain ranges and valleys in the Grapevine area. A brush fire burned through some of the area in May 2013.

The majority of the site is undeveloped; however, overhead electrical transmission lines extend northwest to southeast across the west and south portion of the site. Unimproved roads extend northwest to southeast across the site. A paved road, Falcon Way, is present in the southeast portion of the Property. A dump area containing scrap metal debris was observed in the central portion of the site. An aboveground water storage tank was observed in the area as well. Water is supplied to the storage tank from a natural spring, both of which most likely provided water for grazing cattle in the past. Two groundwater wells were observed: one in the southwest portion of the site and the other located in the northeast portion of the site. Both wells were capped and inoperable and included cement footings. The wells were developed and used as test wells for the residential development that was proposed at one time for the site.

Phase I Environmental Site Assessment (ESA) Summary

The Phase I ESA completed for the Property did not reveal any evidence of recognized environmental conditions in connection with the subject site and, therefore, concluded no further investigations are needed. The Department of General Services (DGS) recommends that the metal debris be removed and disposed of properly.

Other:

- The proposed acquisition is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq. State ownership of these parcels will help ensure these open spaces are protected and limit incompatible development in this area.
- The purchase price shall 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.
- DGS is not aware of any lawsuits pending concerning the Property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.

- The site meets the requirements of Parks.
- There are no historic issues and no implied dedication associated with this Property.
- Additional resources will not be required to operate these properties during intermediary use. The parcel, if acquired, would amount to roughly 4% of the total park acreage. Current staffing levels are sufficient to patrol the parcel in addition to current patrol areas. No change in use or public access to the parcel is foreseen at this time.

Staff Recommendation: Authorize site selection.

CONSENT ITEMS

CONSENT ITEM—3

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
FOLSOM STATE PRISON
CELL BLOCK FIVE FIRE/LIFE SAFETY UPGRADE
SACRAMENTO COUNTY

*Authority: Section 28(a) of Chapter 7, Statutes of 2007
Section 7050 of the Penal Code*

Consider:

- a) approving preliminary plans
- b) approving the use of Inmate/Ward Labor
- c) recognizing revised project costs

CONSENT ITEMS

STAFF ANALYSIS ITEM—3

Department of Corrections and Rehabilitation
Folsom State Prison
Cell Block Five Fire/Life Safety Upgrade
Sacramento County

Action Requested

If approved, the requested action would approve preliminary plans and the use of Inmate/Ward Labor, and recognize revised project costs.

Scope Description

This project is within scope. This project will design and construct fire/life safety improvements to the existing Cell Block Five (60,100 gross square feet) housing unit and dining hall at Folsom State Prison (FSP). The proposed upgrades include the installation of a fire suppression system in each of the 328 cells, overhead fire sprinklers in the remainder of the building, and a central reporting fire alarm and smoke detection system. These systems will be monitored and at a minimum, audible and visual alarms must sound at the facility's Central Control Room.

Funding and Cost Verification

This project is within cost. Section 28(a) of Chapter 7 of the Statutes of 2007 (AB 900) appropriated \$300 million General Fund to the Department of Corrections and Rehabilitation for capital outlay to renovate, improve, or expand infrastructure capacity at existing prison facilities. Section 7050(a) of the Penal Code further provides that this appropriation may be used for the design and construction of dental and medication distribution and infrastructure improvements at state prison facilities.

On September 13, 2013, the Board established the scope, cost and schedule of this project, allocating \$426,000 from this appropriation to complete preliminary plans. At the time of establishment, the total estimated project cost was \$7,549,000. Subsequent to that action, a new project cost estimate was prepared in association with the completion of preliminary plans. Based on this new estimate, the current total estimated project cost is \$4,160,000. This includes a reduction of \$279,000 in the preliminary plan phase. This action would recognize the reduction in the preliminary plan phase and allocate the remaining funding for working drawings and construction, as identified below.

- \$ 426,000 total authorized project costs
- \$ 4,160,000 total estimated project costs
- \$ 426,000 project costs allocated: preliminary plans
- \$ 4,013,000 project costs to be allocated: \$201,000 working drawings and \$3,812,000 construction (\$2,715,000 contract, \$190,000 contingency, \$303,000 A&E, \$361,000 other project costs, and \$243,000 agency retained items)
- \$ 279,000 project cost decrease: preliminary plans

CEQA

A Notice of Exemption was filed with the State Clearinghouse on November 15, 2013, and the statute of limitations expired on December 19, 2013, without challenge.

Real Estate Due Diligence

Due diligence was completed for this facility in February 2014, and no issues that would adversely affect the quiet use and enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	May 2014
Complete working drawings	September 2014
Start construction	January 2015
Complete construction	January 2016

Staff Recommendation: **Approve preliminary plans and the use of Inmate/Ward Labor, and recognize revised project costs.**

CONSENT ITEMS

CONSENT ITEM—4

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CENTRAL CALIFORNIA WOMEN'S FACILITY
HEALTH CARE FACILITY IMPROVEMENT PROJECT
MADERA COUNTY

Authority: Sections 15819.40(b) and (c) and 15819.401-15819.404 of the Government Code

Consider:

- a) recognizing a scope change
- b) approving preliminary plans
- c) approving the use of Inmate/Ward Labor
- d) approving an augmentation

\$1,459,000
(0.16 percent of total project)
(0.29 percent cumulative)

CONSENT ITEMS

STAFF ANALYSIS ITEM—4

Department of Corrections and Rehabilitation
Central California Women's Facility
Health Care Facility Improvement Project
Madera County

Action Requested

If approved, the requested action would recognize a scope change and approve preliminary plans, the use of Inmate/Ward Labor and an augmentation.

Scope Description

This project is not within scope. The health care facility improvement project at Central California Women's Facility (CCWF) will support CCWF's operation as a Reception Center institution as part of the California Department of Corrections and Rehabilitation (CDCR) Health Care Facility Improvement Program strategy to address statewide prison health care system deficiencies. This project includes the design and construction of a Reception Center health care processing addition; a primary care clinic renovation at Facility A; primary care clinic renovations and additions at Facilities B, C, and D; a new pharmacy; and renovations to the central health services building.

CDCR has requested a scope change to expand the central health services building renovation sub-project to also include renovation of the triage and treatment area. The Triage and Treatment Area (TTA) currently consists of two standard treatment bays, and this is inadequate for the level of care necessary at a Reception Center institution because it does not provide an observation or trauma room, nor does it provide adequate space of inmate-patient separation and emergency treatment equipment. The scope change reconfigures the existing space to maintain two standard treatment bays and provide one trauma bay, one observation room, a nursing station, and secure medication storage.

At the time project establishment information was prepared, CDCR medical staff believed they could adequately operate within the existing space. However, during design development, medical staff at both the institution and headquarters decided to revisit this issue and determined these renovations are necessary for providing emergency care services to stabilize critically ill or severely injured inmate-patients. CCWF is one of two correctional institutions housing female offenders and the only female Reception Center.

The cost impact of this scope change is an increase of approximately \$956,000. However, based on a revised estimate prepared in association with the completion of preliminary plans and this scope change request, the total project cost is \$15,758,000, a total increase of \$1,459,000. The additional \$503,000 increase in project cost is a result of project refinements identified during the development of preliminary plans.

Additionally, CDCR is requesting to use Inmate Ward Labor resources for all construction activities on this project. A final decision regarding the construction delivery method will be made at the completion of working drawings.

On April 15, 2014, 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, and the 20-day notice period expired without any adverse comments.

Funding and Cost Verification

This project is not within cost. On May 10, 2013, the Board took an action allocating \$14,299,000 of the \$900,419,000 lease revenue bond financing authority appropriated in section 15819.403(a) of the Government Code to complete design and construction for this project. A revised project estimate was prepared in association with the scope change and completion of the preliminary plans. Based on this new estimate, the current total estimated project cost is \$15,758,000, which is an increase of \$1,459,000. CDCR is requesting an augmentation in the amount of \$1,459,000 to cover this cost increase for the project.

\$ 14,299,000	total authorized project costs
\$ 15,758,000	total estimated project costs
\$ 14,299,000	project costs previously allocated: \$994,000 preliminary plans, \$861,000 working drawings, and \$12,444,000 construction (\$8,508,000 contract, \$510,000 contingency, \$749,000 A&E, \$950,000 other project costs, and \$1,727,000 agency retained items)
\$ 1,459,000	augmentation request: a decrease of \$343,000 preliminary plans and \$81,000 working drawings, and an increase of \$1,883,000 construction (\$1,743,000 contract, \$105,000 contingency, a decrease of \$38,000 A&E and \$52,000 other project costs, and increase of \$125,000 agency retained items)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on July 19, 2013, and the statute of limitations expired on August 23, 2013, without challenge.

Real Estate Due Diligence

Due diligence was completed for this facility in July 2013, and no issues that would adversely affect the quiet use and enjoyment of this project were identified.

Project Schedule

Approve preliminary plans	May 2014
Complete working drawings	October 2014
Start construction	February 2015
Complete construction	January 2016

Staff Recommendation: **Recognize a scope change, and approve preliminary plans, the use of Inmate/Ward Labor and an augmentation.**

CONSENT ITEMS

CONSENT ITEM—5

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
VALLEY STATE PRISON
HEALTH CARE FACILITY IMPROVEMENT PROJECT
MADERA COUNTY

Authority: Sections 15819.40(b) and (c) and 15819.401-15819.404 of the Government Code

Consider:

- a) approving preliminary plans
- b) approving the use of Inmate/Ward Labor
- c) recognizing revised project costs

CONSENT ITEMS

STAFF ANALYSIS ITEM—5

Department of Corrections and Rehabilitation
Valley State Prison
Health Care Facility Improvement Project
Madera County

Action Requested

If approved, the requested action would approve preliminary plans and the use of Inmate/Ward Labor (IWL), and recognize revised project costs.

Scope Description

This project is within scope. The health care facility improvement project at Valley State Prison (VSP) will support VSP's operation as a Basic institution as part of the California Department of Corrections and Rehabilitation (CDCR) Health Care Facility Improvement Program strategy to address statewide prison health care deficiencies. The purpose of the health care facility improvements at VSP is to remedy deficiencies in primary care, laboratory, and pharmacy.

VSP is one of seventeen institutions designated as a Basic institution. Basic institutions will have the capability of providing routine specialized medical services and consultation for the generally healthy inmate-patient population.

This project includes the design and construction of renovations to the existing pharmacy and Facility A primary care clinic, as well as renovations and additions to the existing Facilities B, C, and D primary care clinics. The new pharmacy will provide services to meet the pharmaceutical demands at a Basic level of care. The renovations to the Facility A primary care clinic will provide consultation and treatment consistent with the delivery of a Basic level of care. The renovations and additions to the primary care clinics in Facilities B, C, and D, will provide health care treatment and consultations at a Basic level of care. Each of the four primary care clinics will also include space for lab draw activities to increase access to these services.

Additionally, CDCR is requesting to use IWL resources for all construction activities on this project. A final decision regarding the construction delivery method will be made at the completion of working drawings.

Funding and Cost Verification

This project is within cost. On May 10, 2013, the Board took an action allocating \$6,837,000 of the \$900,419,000 lease revenue bond financing authority appropriated in section 15819.403(a) of the Government Code to complete design and construction for this project. A revised project estimate was prepared in association with the completion of preliminary plans. Based on this new estimate, the current total estimated project cost is \$6,824,000, a decrease of \$13,000. This action will recognize these revised project costs, as detailed below.

\$6,837,000	total authorized project costs
\$6,824,000	total estimated project costs
\$6,837,000	project costs previously allocated: \$513,000 preliminary plans, \$379,000 working drawings, and \$5,945,000 construction (\$3,729,000 contract, \$261,000 contingency, \$328,000 A&E, \$458,000 other project costs, and \$1,169,000 agency retained items)
\$ 13,000	net project cost decrease: \$180,000 preliminary plans, \$59,000 working drawings, and an increase of \$226,000 construction (an increase of \$195,000 contract, \$14,000 contingency, and \$38,000 agency retained items, and a decrease of \$21,000 other project costs)

CEQA

A Notice of Determination was filed with the State Clearinghouse on July 19, 2013, and the statute of limitations expired on August 19, 2013, without challenge.

Real Estate Due Diligence

Due diligence was completed for this facility in July 2013, and no issues that would adversely affect the quiet use and enjoyment of this project were identified.

Project Schedule

Approve preliminary plans	May 2014
Complete working drawings	October 2014
Start construction	February 2015
Complete construction	January 2016

Staff Recommendation: **Approve preliminary plans, the use of Inmate/Ward Labor and recognize revised project costs.**

CONSENT ITEM

CONSENT ITEM—6

**CALIFORNIA COMMUNITY COLLEGES (6870)
SOLANO COMMUNITY COLLEGE DISTRICT, SOLANO COLLEGE, THEATER BUILDING
1200 RENOVATION
SOLANO COUNTY**

Authority: Chapter 20, Statutes of 2013, Item 6870-301-6049 (1)

Consider approving preliminary plans

CONSENT ITEM

STAFF ANALYSIS ITEM—6

California Community Colleges
Solano Community College District, Solano College, Theater Building
1200 Renovation
Solano County

Action Requested

If approved, the requested action would approve preliminary plans.

Scope Description

This project is within scope. The remodel of Theater Building 1200 will address critical life, safety, health, and building code compliance issues. Renovations include seismic strengthening, electrical infrastructure upgrades, and removal and replacement of contaminated HVAC systems. The project also includes ADA compliance remodeling for: building rest rooms, theater lobby, theater seating access and availability, offices and building entrances, and path of travel. This project will also address the considerable health issues posed by bat and rat infestation problems.

Funding and Project Cost Verification

This project is within cost. The total cost of the project is \$13.8 million to be funded from the 2006 California Community College Bond Fund. The preliminary plans and working drawings were appropriated in the 2013 Budget Act with the remaining \$12.6 million construction phase proposed for funding in the 2014 Governor’s Budget.

- \$ 13,760,000 total authorized project costs
- \$ 13,760,000 total estimated project costs
- \$ 1,183,000 state funds previously allocated: \$657,000 preliminary plans, and \$526,000 working drawings
- \$ 12,577,000 state funds to be allocated: \$12,577,000 construction (\$11,073,000 contracts, \$775,000 contingency, and \$729,000 project administration).

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 3, 2005, and the 30-day statute of limitations expired on June 3, 2005, without challenge.

Real Estate Due Diligence

Community college districts have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

Approve preliminary plans	May 2014
Complete working drawings	November 2014
Start construction	July 2015
Complete construction	July 2016

Staff Recommendation: Approve preliminary plans.

ACTION ITEMS

ACTION ITEM—1

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

141 Parcels listed in Exhibit A

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)*

Consider approving site selection of 141 parcels in full and/or in part, conditioned by the requirement that no offers to purchase shall be made until any required environmental clearances are made.

Exhibit A of Action Item 1	
E American Ave to E Mountain View Ave	
Parcel Number	
High Speed Rail Authority	Assessor
FB-10-0284	334-040-81
FB-10-0284	334-040-93S
FB-10-0289	334-330-39
FB-10-0290	334-330-47
FB-10-0291	334-330-48
FB-10-0294	334-330-50
FB-10-0296	334-250-02
FB-10-0680	334-330-07
FB-10-0682	334-250-10
FB-10-0683	334-250-09
FB-10-0288	334-330-24
FB-10-0297	334-250-38
FB-10-0297	334-250-45
FB-10-0299	334-250-43
FB-10-0301	334-010-06U
FB-10-0302	334-010-03U
FB-10-0733	334-250-28
FB-10-0288	334-330-40
FB-10-0295	334-320-28
FB-10-0681	334-070-39
FB-10-0297	334-250-21
FB-10-0303	334-010-07U
FB-10-0306	335-310-33

Exhibit A of Action Item 1 Continued	
Authority Parcel Number	Assessor Parcel Number
FB-10-0307	335-310-46
FB-10-0309	335-310-55
FB-10-0316	335-090-57
FB-10-0686	334-310-13
FB-10-0692	335-090-42
FB-10-0693	335-090-37
FB-10-0305	335-310-20
FB-10-0313	335-090-18
FB-10-0314	335-090-28
FB-10-0315	335-090-47
FB-10-0310	335-300-48
FB-10-0311	335-090-03
FB-10-0317	335-190-08
FB-10-0687	335-090-01
FB-10-0688	335-090-02
FB-10-0689	335-190-09
FB-10-0691	335-190-10
FB-10-0312	335-090-17
FB-10-0318	335-110-02
FB-10-0318	335-110-20
FB-10-0736	335-110-40
FB-10-0737	335-110-37
FB-10-0325	335-140-20
FB-10-0695	335-110-11
FB-10-0319	335-110-16
FB-10-0321	335-010-02U
FB-10-0322	335-010-03U
FB-10-0324	335-140-05
FB-10-0326	335-140-27
FB-10-0326	335-140-29
FB-10-0330	335-140-32
FB-10-0335	335-140-37
FB-10-0696	335-110-42
FB-10-0323	335-100-11
FB-10-0698	335-130-11S
FB-10-0328	335-140-31
FB-10-0328	335-140-30
FB-10-0328	335-170-19
FB-10-0332	335-140-34SU
FB-10-0333	335-140-35S
FB-10-0338	335-170-26

Exhibit A of Action Item 1 Continued	
Authority Parcel Number	Assessor Parcel Number
FB-10-0341	335-170-25U
FB-10-0343	335-170-30S
FB-10-0344	335-170-29SU
FB-10-0340	335-170-21S
FB-10-0704	338-080-15
FB-10-0342	335-170-27SU
FB-10-0343	335-170-28S
FB-10-0350	338-080-03
FB-10-0352	338-080-19
FB-10-0353	338-080-21
FB-10-0357	338-080-22U
FB-10-0359	338-080-25U
FB-10-0702	338-170-03
FB-10-0703	338-170-17
FB-10-0336	335-160-09
FB-10-0346	335-220-04
FB-10-0348	335-220-14
FB-10-0349	335-220-17
FB-10-0360	338-080-30
FB-10-0361	338-070-15
FB-10-0699	335-220-31
FB-10-0358	338-080-24U
FB-10-0362	338-100-03
FB-10-0363	338-100-11
FB-10-0364	338-100-27
FB-10-0365	338-100-29
FB-10-0366	338-100-26U
FB-10-0367	338-100-28U
FB-10-0371	338-010-02U
FB-10-0373	338-060-71
FB-10-0374	338-060-17S
FB-10-0377	338-060-69S
FB-10-0370	338-110-47
FB-10-0381	338-110-34
FB-10-0382	338-110-26S
FB-10-0383	338-110-09
FB-10-0386	042-160-04S
FB-10-0372	338-110-49U
FB-10-0384	042-160-02
FB-10-0385	042-160-03
FB-10-0387	042-160-17S

Exhibit A of Action Item 1 Continued	
Authority Parcel Number	Assessor Parcel Number
FB-10-0389	042-160-20SU
FB-10-0390	042-160-21SU
FB-10-0705	338-110-46S
FB-10-0706	338-110-10
FB-10-0378	338-110-38S
FB-10-0378	338-110-45S
FB-10-0388	042-160-19S
FB-10-0707	338-110-44S
FB-10-0708	338-110-43S
FB-10-0721	042-230-16
FB-10-0393	042-170-27S
FB-10-0400	042-180-07
FB-10-0408	385-051-01
FB-10-0713	042-170-16S
FB-10-0391	042-010-04U
FB-10-0392	042-170-08
FB-10-0395	042-170-35S
FB-10-0397	042-180-02S
FB-10-0398	042-180-03
FB-10-0399	042-180-04
FB-10-0400	042-180-05
FB-10-0394	042-170-28S
FB-10-0396	042-180-01
FB-10-0402	042-180-12
FB-10-0403	042-180-13
FB-10-0404	042-190-11S
FB-10-0423	385-051-07S
FB-10-0741	385-081-02S
FB-10-0405	042-190-40S
FB-10-0406	042-190-41S
FB-10-0409	385-051-14S
FB-10-0409	385-051-15S
FB-10-0410	385-081-01
FB-10-0419	385-081-40
FB-10-0422	042-290-02S
FB-10-0434	385-010-01U

ACTION ITEMS

STAFF ANALYSIS ITEM—1

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

Action Requested

If approved, the request action would approve site selection of 141 parcels in full and/or in part, conditioned by the requirement that no offers to purchase shall be made until any required environmental clearances are made.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, and the construction of dozens of grade separations, and multiple bridges and viaducts. The IOS-1, also referred to as the First Construction Segment, 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) for acquisition of approximately 1,100 parcels and the construction of the 130-mile IOS-1.

Background

Because of the geographical size of the HSTS, the environmental work for the HSTS was divided into multiple station-to-station geographical segments, two of which are Merced to Fresno and Fresno to Bakersfield. The 130 miles of the IOS-1 is broken into four construction packages, with the first construction package further divided into components A, B, and C. The first two components, A and B, of Construction Package 1 lie fully within the Merced to Fresno segment and on January 11, 2013, June 14, 2013, July 12, 2013, November 8, 2013, and December 13, 2013, the State Public Works Board (Board) approved site selection for a combined 402 parcels within Construction Package 1A and 1B that would provide a corridor extending approximately 24 miles from Avenue 17 east of the City of Madera to Santa Clara Street in the City of Fresno. At the April 11, 2014 meeting, 144 parcels within Construction Package 1C were approved for site selection, thereby extending the corridor by an additional five miles to E American Avenue.

The 141 parcels that are the subject of this site selection request lie within the next estimated 8 miles of the corridor, extending within Fresno County from E American Avenue to E Mountain View Avenue. This 8 miles corridor represents the northernmost portion of Construction Package 2-3 and lies fully within the Fresno to Bakersfield design segment and north of the Hanford bypass.

Site selection for a transportation corridor, highway or rail alignment differs from traditional single-parcel Board requests. Parcels required for highway and rail alignments involve several miles comprising a longitudinal corridor, rather than a single, specific parcel where other location options may be considered. Because of the type of infrastructure for this project it is not possible

to simply reject a parcel and move to the right or left. For instance, a high-speed train travelling at 200+ miles per hour requires 4 to 5 miles to perform a 90-degree turn. The alignment, as determined through the environmental processes, determines the sites that must be acquired. As is the case with this request, many of the sites selected reflect a need for road realignments and grade crossings necessary to ensure the safety of the train system.

At the November 7th 2013 High Speed Rail Authority Board meeting, the Authority Board concurred with a staff recommendation identifying (but not approving) the preferred alignment in the Fresno to Bakersfield segment. The Authority is nearing completion and certification of a Project level Environmental Impact Report/Environmental Impact Statement (EIR/EIS) on this segment, with the expectation that a CEQA Notice of Determination (NOD) will be filed in May and an associated Federal Record of Decision (ROD) completed by the Authority's partner, the Federal Railroad Administration (FRA), in May or June. As part of these environmental clearance determinations, the Authority and FRA, respectively, will consider whether to approve the previously-identified preferred alignment for construction. In the area where the 141 parcels of this site selection request are located, there are no other alignments under consideration for construction approval.

Because this site selection request is taking place prior to the completion the federal environmental process, the recommendation is that such approval be conditioned by the requirement that no offers to purchase be made until the FRA issues its ROD (which is what staff means in its recommendation below by "environmental clearances"). However, approval of site selection at this time will allow for the setting of Just Compensation by a representative of the Board, thereby providing additional time for the internal preparation of first written offers which is expected to reduce the overall acquisition timeline by a month or more.

Other:

- The Authority anticipates that certain non-complicated parcels will be acquired within a couple months after the environmental clearances steps noted above. For those property owners opposed to selling their property interests to the state, the state would need to consider filing eminent domain proceedings. Such proceedings will add a number of months to the acquisition process.
- 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.
- On May 11, 2012, the Board adopted a resolution delegating to designated representatives of the Board, including the Chief and Assistant Chief of Real Property Services Section of the Department of General Services, the authority to set just compensation for HSTS parcels. This delegation is predicated on the approval of site selection.
- On November 6, 2012, the Board adopted a resolution delegating to staff the authority to approve each acquisition transaction that meets specified criteria.

Staff Recommendation: **Approve site selection of the 141 parcels in full and/or in part, conditioned by the requirement that no offers to purchase shall be made until any required environmental clearances are made.**

ACTION ITEMS

ACTION ITEM—2

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

Assessor's Parcel Number 504-130-08

Authority's Parcel Number MF-10-0007

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)*

Consider authorizing acquisition

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 authorize acquisition.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, and the construction of dozens of grade separations, and multiple bridges and viaducts. The IOS-1, also referred to as the First Construction Segment, 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.

Assessor's parcel 504-130-08 (Authority's parcel MF-10-0007) is among those parcels site selected on January 14, 2013. The required land reflects a 3,898 sf (0.09 acre) portion of the overall 13.7 acre parcel. The owner of this parcel operates a law enforcement shooting range on the subject property and raised a concern during negotiations that the HSTS project would impact its ability to continue that use on the remainder. The owner was informed that the construction and operation of the project in the manner proposed would not impact its ability to continue the existing use, and that the compensation offered did not include any amount for damages that would otherwise be associated with the discontinuation of that use. The owner requested that this representation be inserted into the right of way contract as a nonstandard clause. The clause is not inconsistent with California law. Compensation in an eminent domain matter is based on the assumption that the project will ultimately be constructed and operated in the manner proposed. If a project is not constructed and operated in the manner proposed, a property owner may have a claim against the public agency for additional compensation. This nonstandard clause memorializes the parties understanding at the time of contract formation as to what the construction and operation of the project will entail.

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) for acquisition of approximately 1,100 parcels and the construction of the 130-mile IOS-1.

CEQA

In order to choose the HSTS preferred alignment and identify the parcels to be acquired, the Authority, in accordance with CEQA and the National Environmental Protection Act (NEPA), has completed and certified both a Program level and Project level Environmental Impact Report/Environmental Impact Statement (EIR/EIS). For the Merced to Fresno segment that is the subject of this requested Board Action, a CEQA Notice of Determination was filed with the State Clearinghouse on May 3, 2012, and the 30-day statutes of limitations period expired on June 2, 2012. For NEPA, the Federal Railroad Administration released a Record of Decision on September 29, 2012.

Other:

- The Owner has certified that during its period of ownership there have been no disposals, releases or threatened releases of hazardous substances or hazardous materials on, from, or under the Property, and has no knowledge of such prior by others.
- In lieu of bringing each HSTS acquisition to the Board for approval, on November 6, 2012, the Board delegated acquisition approval for HSTS acquisitions using the Board approved standard contract with non-substantive changes. Due to the addition of the nonstandard clause noted above, a substantive change to the terms of the Board approved contract was necessary for this acquisition.

Staff Recommendation: Authorize acquisition.

ACTION ITEMS

ACTION ITEM—3

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
MADERA AND FRESNO COUNTIES**
Multiple Parcel Numbers

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Section 15854 of the Government Code*

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

- 1. Carson Property**
Assessor's Parcel Number 037-060-017
Authority's Parcel Numbers MF-20-0992-1 and MF-20-0992-01-01
- 2. Fresno Property Management, LLC Property**
Assessor's Parcel Number 467-061-15
Authority's Parcel Numbers FB-10-0484-1 and FB-10-0484-01-01

ACTION ITEMS

STAFF ANALYSIS ITEM—3

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

Action Requested

If approved, the requested action would approve adoption of two Resolutions of Necessity authorizing the use of eminent domain (condemnation) to acquire two properties totaling approximately 1.26 acres located in Madera and Fresno Counties.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 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, and two viaducts. 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) for acquisition of approximately 1,100 parcels and the construction of the 130-mile IOS-1.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain (condemnation) 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 (Properties 1, 2, 4, and 5) or has not been made to the owner or owners of record because the owner or owners cannot be located with reasonable diligence (Property 3).

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, through Chapter 152, Statutes of 2012, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to near 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 two properties are within the right of way for IOS-1, which was site-selected at the January 11, 2013 Board meeting. This site selection took place after an extensive environmental review process that led to the selection of a preferred alignment. The preferred alignment has been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of this property will allow the High Speed Rail Authority to move forward with construction of the HSTS.

During July and September 2013, 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 property have been unsuccessful to date, thereby precipitating the need to adopt a Resolution of Necessity to authorize the use of eminent domain.

On April 22, 2014, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. This notice was sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Carson Property

Assessor's Parcel Number 037-060-017

Authority's Parcel Numbers MF-20-0992-1 and MF-20-0992-01-01

This property is located northwesterly of the corner of Ellis Street and Road 28¼ in Madera County. The Environmental Impact Report identified a 0.83 portion of the property as being necessary for the Fresno River viaduct, which will accommodate the construction of high-speed train tracks between Road 28 and Ellis St.

2. Fresno Property Management, LLC Property

Assessor's Parcel Number 467-061-15

Authority's Parcel Numbers FB-10-0484-1 and FB-10-0484-01-01

This property is located at 1535 Fresno Street in the City of Fresno. The Environmental Impact Report identified this 0.43 acre property as being necessary for roadway widening necessary to improve the existing Fresno Street undercrossing to accommodate the high-speed train system.

Staff Recommendation: Approve the adoption of Resolutions of Necessity authorizing the use of eminent domain (condemnation) to acquire two properties totaling approximately 1.26 acres located in Madera and Fresno Counties.

ACTION ITEMS

ACTION ITEM—4

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
JAIL PROJECT
MONTEREY COUNTY

Authority: Sections 15820.91 – 15820.917 of the Government Code

Consider recognizing:

- a) **A scope change contingent upon the expiration of the Joint Legislative Budget Committee review period**
- b) **revised project costs**

ACTION ITEMS

STAFF ANALYSIS ITEM—4

Department of Corrections and Rehabilitation
Jail Project
Monterey County

Action Requested

If approved, the requested action would recognize a scope change and recognize revised project costs contingent upon the expiration of the expiration of the Joint Legislative Budget Committee review period and revised project costs.

Scope Description

This project is not within scope. As established by the Board, this project would have designed and constructed a new addition to the existing jail, providing approximately 288 new beds, as well as approximately 52,000 square feet (sf) of additional new housing, treatment, program, storage and administrative space.

The Department of Corrections and Rehabilitation on behalf of the county is requesting a scope change to increase the total square footage of the building to approximately 135,000 sf. The revised scope increases the size of the housing area from four two-tiered housing units to eight two-tiered housing units, providing approximately 280 double-occupancy cells and 16 single-occupancy cells for a total of approximately 576 beds. The housing area will also include day rooms; control rooms; recreation yards; and program, treatment, interview and storage space. This building will also include a support area which will provide visitation space; a central control room; a sallyport; interview rooms; and training, storage, and staff support and administrative space. Due to reduced site availability, the county has reduced the staff and visitor parking for this project and will instead utilize existing parking areas.

On April 23, 2014, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve this scope change, and the 20-day notice period will expire on May 13, 2014. Staff recommends approval of this item contingent upon receiving no adverse comments.

Funding and Project Cost Verification

This project is not within cost. On September 13, 2013, the Board established the scope, cost and schedule of this project, allocating \$36,295,000 of the \$854,229,000 lease revenue bond financing authority appropriated in section 15820.913 of the Government Code to partially finance the design and construction of this project. At the time of establishment, the total estimated project cost was \$40,328,000. On November 14, 2013, the Board of State and Community Corrections took an action to approve an additional funding award of \$43,705,000 for this project, for a new total award amount of \$80,000,000. All of the acquisition/study costs and any design and construction costs in addition to this amount will be paid by the county. The new total estimated project cost is \$88,900,000, which is an increase of \$48,572,000.

- \$ 40,328,000 total authorized project cost
- \$ 88,900,000 total estimated project cost
- \$ 36,295,000 state funds previously allocated: \$866,000 working drawings, \$35,429,000 construction (\$30,183,000 contract, \$2,817,000 contingency, \$474,000 A&E, \$1,066,000 other project costs, and \$889,000 agency retained)
- \$ 4,033,000 local funds previously allocated: \$82,000 acquisition/study, \$1,994,000 preliminary plans, \$812,000 working drawings, \$1,145,000 construction (\$285,000 A&E, \$693,000 other project costs, and \$167,000 agency retained)
- \$ 43,705,000 state funds increase: \$376,000 preliminary plans, \$1,568,000 working drawings, \$41,761,000 construction (\$35,090,000 contract, \$3,710,000 contingency, \$909,000 A&E, \$1,885,000 other project costs, and \$167,000 agency retained)
- \$ 4,867,000 local funds increase: \$1,246,000 acquisition/study, \$694,000 preliminary plans, \$1,194,000 working drawings, \$1,733,000 construction (an increase of \$2,185,000 other project costs, and a decrease of \$285,000 A&E and \$167,000 agency retained)

CEQA

Environmental review for this project is currently underway and the CEQA documentation will be completed prior to seeking approval of preliminary plans.

Real Estate Due Diligence

Real Estate due diligence for this project is currently under review and will be completed prior to seeking approval of preliminary plans.

Project Schedule

Approve preliminary plans	May 2015
Complete working drawings	February 2016
Start construction	June 2016
Construction complete	September 2018

Staff Recommendation: **Recognize scope change and recognize revised project costs contingent upon the expiration of the Joint Budget Legislative Budget Committee review period.**

OTHER BUSINESS

OTHER BUSINESS ITEM—1

Consider authorizing the execution of a multi-year contract with Gilbert Associates, Inc. for auditing of the Board's two bond funds.

The Board is required by its bond indentures to have its bond funds audited annually by an independent auditing firm. The Board's current contract with Gilbert Associates expires July 31, 2014. Authority to enter into these contracts, as outlined, is found in sections 15837.5 and 15837.6 of the Government Code. The proposed term of the contract is for a term of two years.

OTHER BUSINESS

OTHER BUSINESS ITEM—2

CALIFORNIA HIGH SPEED RAIL AUTHORITY (2665)

Consider approving a three-year extension of the interagency agreement between the Board and CalTrans to provide legal services in connection with right-of-way acquisitions for the High Speed Train System.

OTHER BUSINESS

STAFF ANALYSIS ITEM—2

California High Speed Rail Authority

Action Requested

If approved, the requested action would approve a three-year extension of the interagency agreement between the Board and Caltrans to provide legal services in connection with right-of-way acquisitions for the High Speed Train System (HSTS).

Background

At its May 11, 2012 meeting, the Board approved a request to direct and authorize staff to work with the High Speed Rail Authority (Authority) staff and Caltrans to negotiate an interagency agreement for legal representation of the Board on acquisition matters for the HSTS. The intent was to allow Caltrans to provide lawyers experienced in right-of-way acquisitions to assist and provide legal advice related to right-of-way acquisitions and eminent domain proceedings for the HSTS. The final interagency agreement between the Board and Caltrans was executed on May 21, 2013, and remains in effect through June 30, 2014. This request would extend that contract through June 30, 2017.

Under the relevant statutes, the Board is the condemning entity adopting the Resolution of Necessity and initiating the litigation in those site selected properties that cannot be acquired through a negotiated process. The Board's continued use of lawyers already representing the Authority on cases where the Board has authorized the use of eminent domain to acquire property for the HSTS creates significant efficiencies in the process. The lawyers working for the Authority under the interagency agreement with Caltrans have extensive familiarity with right-of-way acquisition transactions and the required experience to go forward with eminent domain litigation, if authorized. The costs associated with this legal representation are paid for out of the System's acquisition appropriation.

Staff Recommendation: **Authorize a three-year extension of the interagency agreement between the Board and Caltrans to provide legal services in connection with right-of-way acquisitions for the HSTS.**

REPORTABLES

To be presented at the meeting.