



CALIFORNIA STATE
PUBLIC WORKS BOARD

ARNOLD SCHWARZENEGGER, GOVERNOR

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MEETING AGENDA WITH ANALYSIS

NOTICE OF MEETING
STATE PUBLIC WORKS BOARD
Friday August 8, 2008

The **STATE PUBLIC WORKS BOARD** will meet on **Friday August 8, 2008, at 10:00 a.m. in Room 113, State Capitol, Sacramento, California.** In accordance with provisions of Section 11125 of the Government Code, a copy of the Agenda is attached.

Greg Rogers
Administrative Secretary

Attachment

STATE PUBLIC WORKS BOARD

Friday
August 8, 2008
10:00 a.m.
Room 113

915 L Street
Sacramento, California

I. Roll Call

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

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

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Assembly Member, Legislative Advisor
Assembly Member, Legislative Advisor
Assembly Member, Lloyd E. Levine, Legislative Advisor
Senator, Darrell Steinberg, Legislative Advisor
Senator, Denise Ducheny, Legislative Advisor
Senator, Carole Migden, Legislative Advisor

II. Approval of minutes from the [July 11, 2008](#) meeting

III. Bond Items	Page 3
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BOND ITEM

NONE

CONSENT ITEM

CONSENT ITEM—1

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
PINE MOUNTAIN FOREST FIRE STATION – RELOCATE FACILITY
TULARE COUNTY
CDF 504, DGS Parcel Number 10515 (Bates) and 10515A (Boesch)

Authority: Chapters 171 and 172, Statutes of 2007, Item 3540-301-0001 (3)

Authorize site selection

CONSENT ITEM

STAFF ANALYSIS ITEM—1

Department of General Services
Department of Forestry and Fire Protection
Pine Mountain Forest Fire Station – Relocate Facility
Tulare County

Action requested

The requested action will authorize site selection.

Scope Description

This project is within scope. This request will authorize the site selection of one parcel out of two potential five acre sites for this project. On June 13, 2008, the State Public Works Board authorized site selection approval of a portion of a 266.4 acre parcel (Bates property) located in California Hot Springs, Tulare County. Subsequent to site selection, another parcel located in proximity to the Bates property has become available. The new site being considered is a portion of an approximate 29.39 acre parcel (Boesch property) which also meets the Department of Forestry and Fire Protection's (CAL FIRE) program requirements. Site selection of both properties will help ensure the state can acquire the site that is in the best interest of the state, inclusive of both acquisition and development costs.

Funding and Project Cost Verification

This project is within cost. A total of \$335,000 has been appropriated for this acquisition. The property can be acquired with the funds available and in accordance with Legislative intent.

\$335,000	total estimated project costs
\$335,000	total authorized project costs
\$235,000	funds previously allocated: acquisition \$235,000 (\$150,000 site selection, \$10,000 agency retained, \$75,000 CEQA)
\$100,000	project costs to be allocated: acquisition

CEQA

A CEQA determination will be completed prior to acquisition authorization.

Project Schedule

The anticipated close of escrow is October 2008.

Condition of Property

In July 2008, Department of General Services (DGS) - Environmental Services Section staff conducted a condition of property visit on a five (approximately) acre parcel known as the Boesch property. The property has historically and is currently used as range land for cattle production. There are scattered Blue Oaks on the property, with the largest tree hosting an unoccupied raptor nest, which will be protected. In addition to scattered oaks, the property has numerous granite outcroppings. No Native American presence was observed on the outcroppings. The only "improvement" on the property is an electrical line owned by Southern California Edison. No transformers were observed on the line. No environmental hazards or conditions were observed. The property appears compatible with its intended use as a CAL FIRE fire station.

Other:

- The purchase price shall not exceed the estimated fair market value of the property as determined by a DGS approved appraisal.
- There is no implied dedication on the properties.
- Both properties are vacant and unimproved.
- There is no relocation assistance involved with this acquisition.
- Both proposed facilities will require a septic system and may require a new well, which will require further investigation and negotiation.

Staff Recommendation: Authorize site selection.

CONSENT ITEM

CONSENT ITEM—2

**DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
MALIBU CREEK STATE PARK, CORRAL CANYON NORTH
LOS ANGELES COUNTY
DPR Parcel Number 014726, DGS Parcel Number 10531**

*Authority: Chapter 379, Statutes of 2002, Item 3790-301-6029(6)
As Reappropriated by Chapters 37 and 38, Statutes of 2005
Chapters 37 and 38, Statutes of 2005, Item 3790-301-0262
Chapters 46 and 47, Statutes of 2006, Item 3790-301-0262
Fish & Game Code Section 2787*

Authorize acquisition

Item Pulled

CONSENT ITEM

CONSENT ITEM—3

**DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
PROPOSED SANTA INES MISSION MILLS STATE PARK
SANTA BARBARA COUNTY**
DPR Parcel No. 008443-77, DGS Parcel No.10533

*Authority: Chapter 157, Statutes of 2003, 3790-301-6029(10), as reappropriated by
Chapter 47, Statutes of 2006, Item 3790-491-6029(2)(10)*

Authorize acquisition

CONSENT ITEM

STAFF ANALYSIS ITEM—3

Department of General Services
Department of Parks and Recreation
Proposed Santa Ines Mission Mills State Park

Action Requested

The requested action will authorize acquisition.

Scope Description

The project is within scope. This request will authorize acquisition of approximately 37.9 acres of land for a new proposed state park in Solvang, California. The property is representative of early Western industrial technology and is designated as a National Historic Landmark. Two historic mills exist on the property, a grist mill and a fulling mill, that once served the Santa Ines Mission during the Mission period of early California. The acquisition and conversion of this unique property into the future home of the Santa Ines Mission Mills State Park will serve to contribute to the Department of Parks and Recreation's (DPR) mission to serve high-quality public recreational opportunities by protecting one of the State's most valued natural and cultural resources.

Funding and Cost Verification

This project is within cost. The Legislature has approved funding from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Proposition 40) for new acquisitions for the State Park System without specifying particular parcels. The funding source for the acquisition is Chapter 157, Statutes of 2003, Item 3790-301-6029(10), as re-appropriated by the 2006 Budget Act. The property can be acquired with a portion of the remaining funds in accordance with legislative intent.

\$1,730,000 Total estimated project costs

\$1,730,000 Total authorized project costs

\$ 18,000 Project costs previously allocated: DGS staff costs for appraisal and acquisition review, and staff costs

\$1,712,000 Project costs to be allocated: staff costs \$5,000; acquisition \$1,700,000, title and escrow fees \$7,000

CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 23, 2008, and the statute of limitations expired on May 28, 2008.

Project Schedule

The anticipated close of escrow is August 2008.

Condition of Property Statement

On April 8, 2008, Department of General Services (DGS) - Environmental Services Section (ESS) personnel conducted a condition of property site visit at Santa Ines Mission Hill site in Santa Barbara County. The property is located immediately east of the community of Solvang. It is approximately 38 acres in size with level to moderately sloping topography. It is dominated by native and non-native grasses and non-native trees. Improvements include a historical grist mill complex that was constructed in 1820. The grist mill complex is made of rock and masonry and appears to be in good condition considering its age. No environmental hazards or conditions were observed during the site visit. The property appears compatible with its intended use as a park.

Other:

- The purchase price shall not exceed the estimated fair market value as determined by a DGS-approved appraisal.
- This property is anticipated to be accepted by DPR as a new state park; if DPR elects not to convert this acquisition to a new state park, it will be accepted as an addition within the state park system.
- There is no implied dedication applicable to this property.
- Access to the property is currently through several negotiated easements with neighboring property owners and the easements are included as part of the rights being conveyed.
- DPR is not aware of any lawsuits pending on the property. The Property Acquisition Agreement (PAA) will require delivery of title to the property free and clear of any mortgages or liens.

- The PAA does not include the State's standard indemnification language, potentially exposing the State to additional fiscal liability; however, the DGS-ESS site visit of the property did not identify conditions that would likely pose an exceptional risk to the State. Further, given the fact that the property is largely unimproved natural habitat, the risk associated with acquiring these properties without the standard indemnification is low. It should be noted that the lack of indemnification language does not relieve the seller of liability under existing law.
- The property will be acquired from the Santa Barbara Trust for Historic Preservation (Trust). Following the transfer of title to the State of California, the property will be leased back to the Trust. The Lease Agreement will stipulate that the Trust will manage and operate the new state park for DPR and cover expenses for the maintenance and operation of the park.
- The Lease requires the implementation of an Immediate Public Use Plan wherein the Trust will address certain site and facility improvements and park operations within the state park system guidelines.
- Following the transfer of title to the State, DPR will discuss the possibility of converting the lease into an Operating Agreement with the Trust that will incorporate the provisions contained in the Lease Agreement for a longer period of time.
- Operating costs will be minimal due to the leaseback arrangement with the Trust. The management plan also calls for periodic patrols of the property as part of the routine patrols for adjacent district parks. As such, no additional support needs are anticipated with the acquisition of this property.
- While DPR does not foresee changes at this time to public access, development or resource needs, any such changes will be addressed through the normal budget process.
- There is an existing tenant who is a caretaker who will continue with the same caretaker duties for the Trust, after acquisition, in lieu of rent. Because there will be no displacement of the tenant in this leaseback arrangement, the Department of Housing and Community Development has expressed an opinion that the tenant is not eligible for relocation benefits pursuant to Title 25, Division 1, Chapter 6, Subchapter 1 of California Code of Regulations.

Staff Recommendation: Authorize acquisition.

CONSENT ITEM

CONSENT ITEM—4

**DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF FOOD AND AGRICULTURE (8570)
17TH DISTRICT AGRICULTURAL ASSOCIATION
NEVADA COUNTY**
Project No. DFA502, DGS Parcel No. 10461

*Authority: Food and Agricultural Code Section 4051
Business and Professions Code Section 19623*

Authorize acquisition

CONSENT ITEM

STAFF ANALYSIS ITEM—4

Department of General Services
Department of Food Agriculture
17th District Agricultural Association

Action requested

The requested action will authorize acquisition.

Scope Description

This project is within scope. This request will authorize the acquisition of approximately 0.40 acres of land located contiguous to the Nevada County Fairgrounds along McCourtney Road in the City of Grass Valley. The property is currently improved with one commercial building of approximately 3,600 square feet. The building is comprised of several small storefronts, including the 17th District Agricultural Association (17th DAA), which utilize office, storage, and warehousing space. Acquisition of this site would serve to expand the boundary of the existing Nevada County Fairgrounds and is considered necessary to meet Fairgrounds' future real property needs.

Funding and Cost Verification

This project is within cost. The 17th DAA will fund the acquisition and related costs from its budget reserve and a funding program administered by the Department of Food and Agriculture, Division of Fairs and Expositions. The acquisition costs can be met with funds available and in accordance with legislative intent.

CEQA

A Notice of Exemption was filed with the State Clearing House on August 3, 2007. The 35-day statute of limitations expired on September 6, 2007.

Project Schedule

The anticipated close of escrow is September 2008.

Condition of Property

Department of General Services Environmental Services Section (ESS) Staff conducted a site visit on July 30, 2007 to the proposed 0.40 acres acquisition, located at 11310 McCourtney Road, Grass Valley, California. The improved commercial property contains a martial arts studio, a skin care and massage therapy establishment, and a former chiropractic office. An asphalt parking lot is located in front of the structure with access along McCourtney Road. Vegetation consists of scattered trees and a lawn.

County fair property is located directly to the north, west, and south of the subject property, with a parking lot and senior center to the south and west, a fair caretaker's residence and fairgrounds to the north, and the fair administration building and fairground entrance to the east.

In April 2006, a Phase 1 Environmental Site Assessment was conducted and found no conditions that warrant further environmental investigation. Department of General Services Environmental Services Staff saw no environmental concerns within the property boundary.

Other:

- The State Public Works Board approved site selection for this project on September 2007.
- The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The purchase price will not exceed the estimated fair market value as determined by a DGS approved appraisal.
- There is no implied dedication applicable to this property.
- The property will continue to be occupied and rented to the existing tenants.
- There is no relocation assistance involved with this project.
- The property is currently owned by the Nevada County Fairgrounds Foundation Trust (Foundation), which was established in April, 2005 as a non-profit foundation for the benefit of the Nevada County Fair (Fair).
- The Board of Directors for the Foundation includes three Fair directors and two of the Fair management staff as well as one public member. The Foundation members are unpaid and have no financial interest in either the Foundation or the Fair.
- The Foundation purchased the property on July 1, 2006, for the purpose of securing the property with the intent to transfer the title and control of the property to the 17th DAA.

- Department of General Services, Design Services Section conducted an Infrastructure Study in November 2007. They estimated the cost to bring the building up to current State Building Codes at \$200/sq. ft. or approximately \$720,000. DGS has advised both the 17th District Agricultural Association and the Department of Food and Agriculture, Division of Fairs and Expos of these costs and repairs which will need to be addressed post acquisition. The 17th DAA has acknowledged this report by a Resolution dated January 28, 2008 and agreed to refer this report to the Division of Fairs and Expositions and the California Construction Authority (CCA) for scheduling the necessary work orders.
- The CCA has submitted a 5-Year Action Plan to repair and remodel the property to bring it into compliance with ADA and the California Building Code.

Staff Recommendation: Authorize acquisition.

CONSENT ITEM

CONSENT ITEM—5

JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS (AOC)
BEGOVICH BUILDING
AMADOR COUNTY
AOC Facility Number 03-C1

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

Authorize the acceptance of real property and improvements thereon through a transfer of title

CONSENT ITEM

STAFF ANALYSIS ITEM—5

Administrative Office of the Courts
Begovich Building, AOC Facility Number 03-C1

Action Requested

The requested action will authorize the acceptance of real property and improvements thereon through a transfer of title.

Scope Description

This transaction is within scope. The County of Amador (County) is transferring fee title in and to the court facility commonly know as the Begovich Building, located at 500 Argonaut Lane, Jackson, California (Court Facility), to the State of California (State) on behalf of the Judicial Council of the California (Council), Administrative Office of the Courts (AOC), pursuant to that certain Transfer Agreement Between the Judicial Council of California, Administrative Office of the Courts and the County of Amador for the Transfer of Responsibility for Court Facility, dated June, 2008 (Transfer Agreement). The Court Facility consists of approximately 2.83 acres of real property improved with a one-story building, parking lot, and associated landscaping. Following the transfer of title, the AOC shall be responsible for the funding and operation of the Court Facility.

Funding and Cost Verification

This transaction is within cost. The County shall not be entitled to compensation for any equity value in the square footage occupied by the Superior Court in the Court Facility pursuant to SB 1732 (Escutia), Chapter 1082, Statutes of 2002, Section 1(d)(6). The Superior Court occupies the entire facility; therefore the County is not entitled to any compensation.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on September 28, 2007, and the waiting period expired on November 2, 2007.

Project Schedule

The anticipated date of close of escrow is September 1, 2008.

Condition of Property

The AOC, staff agency to the Council, was responsible for conducting site visits to the Court Facility site and for contracting for the professional services of an environmental professional for the Phase I Environmental Site Assessment (Phase 1).

Phase I:

A Phase I report was completed in February 2008, by Earth Tech, in accordance with the American Society for Testing and Materials Standard Practice for Environmental Site Assessments: Phase I (E-1527-05) (ASTM 2005). The Phase I includes an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility. In preparing the Phase I, a visual inspection of the Court Facility was performed to detect any apparent hazardous conditions in, on, or about the Court Facility, and the historical uses of the real property were reviewed. The Phase I found no recognized environmental conditions with respect to the subject site.

Building Assessment:

Staff from the AOC's Office of Court Construction and Management has conducted site visits of the Court Facility on multiple occasions over the past several years to oversee the rebuilding of the court facility. The original medical office building was torn down to the studs and rebuilt as a court facility. The Superior Court moved into this new facility in or about July 2007. The site visits entailed tours of the facility and surrounding property including a review of the real property for apparent conditions that could adversely impact the habitability or safety of the property; identification of furnishings, fixtures, and equipment that the County will transfer and convey to the State along with the real property, and to identify any tenancies, encroachments, apparent easements, or other rights to occupy or use the property that might be vested in parties other than the County or the Court. The Office of Court Construction and Management concluded that the Court Facility did not contain any apparent hazards to the health and safety of the occupants or property.

Seismic Safety Assessment of the Improvements:

Due to the age of this building (2007) this facility is exempt from a Tier I seismic safety assessment and was given a seismic safety rating of Level IV, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect, April 1994, which is an acceptable seismic safety rating for the transfer of the title to the Court Facility to the State under Government Code Section 70327.

Other

- The State may refuse to accept responsibility for the Court Facility only if (a) the Court Facility contains one or more “deficiencies,” as defined at Government Code Section 70326(b), and (b) the county and the AOC have not made provision for the correction of the deficiencies as part of the Transfer Agreement, pursuant to Section 70326(c) or Section 70327(d) of the Government Code. Neither of these situations exists.
- The AOC is not aware of any lawsuits pending concerning the property.
- The County adopted a Resolution in May 2008, approving the Transfer Agreement to transfer title and responsibility of the Court Facility to the State, and authorizing the Chairman to sign the Transfer Agreement, Grant Deed, and other documents related to the transaction, and the Director of the Department of General Services to execute any other documents necessary for the transfer of responsibility and title to the Court Facility to the AOC.
- The Transfer Agreement required that delivery of title to the property would be free and clear of any mortgages or liens. Concurrently with the transfer of title to the Court Facility, the AOC will purchase an owner’s policy of title insurance for the Court Facility from the title company.
- Since the court facility is a recently renovated (2007) structure, the County is assigning various contractor’s (earthwork, landscaping, concrete, insulation, roofing, flooring, etc.) warranties to the AOC.
- In accordance with SB1732, there is adequate parking for the Court Facility.
- There are no historic issues associated with the Court Facility.
- Review of title documentation discloses the reservation of mineral rights on parcels 1 and 2 of the proposed transfer. There is no right to surface entry, so the reservation of mineral rights, per se, presents little potential for interference with court use of the property. However, the property is located some 4,000 feet of the Argonaut Mine, a major gold mine which was actively worked as late as 1942. It would appear that there is some potential for mining activity below a depth of 50 feet of the surface with undetermined potential impacts on the use of the property.
- An Environmental Site Assessment report was completed by Tetra Tech EM, Inc. on April 22, 2003. Two old mines are located approximately 2,000 and 4,000 feet north of the Begovich Building. However, records indicate most of the mining activity was at the depth of 3,000 to 5,000 feet below the surface. Prior to conducting the fieldwork, Tetra Tech identified the approximate locations of the four planned borings based on the areas most likely to be disturbed in the future by the AOC as part of construction activities associated with expansion of the existing facility on the Begovich property. None of the borings were advanced to 15 feet due to interference with solid granite bedrock.

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

CONSENT ITEM

CONSENT ITEM—6

JUDICIAL COUNCIL OF CALIFORNIA (0250)
NEW MADERA COURTHOUSE
MADERA COUNTY
JCC Parcel Number 20-F1

Authority: Chapters 171 and 172, Statutes of 2007, Item 0250-301-3037(2)

Authorize site selection

CONSENT ITEM

STAFF ANALYSIS ITEM—6

Judicial Council of California
New Madera Courthouse, Madera County

Action requested

The requested action will authorize site selection.

Scope Description

This project is within scope. This request will authorize site selection of land for the construction of a new ten-courtroom, full service courthouse in the downtown area of the City of Madera, Madera County. This site is located in a redevelopment area across from a historic courthouse, the Madera Courthouse Park, and is south of the existing courthouse buildings and the new County of Madera Administrative Center and a new five-story County-owned public parking structure. The site is comprised of five parcels totaling approximately 2.24 acres of land with the following improvements: two single family residential units; the county's central parking garage; an office/meeting hall for the Veterans of Foreign Wars (VFW); and a privately-owned vacant lot. Court parking will remain in the County owned public parking structure adjacent to the new County Administrative Center. Additional parking spaces will be provided at the proposed court site.

Funding and Cost Verification

This project is within cost. Chapter 171, Budget Act of 2007-08, Item 0250-301-303 07 (2) provides funding of \$3,440,000 for land acquisition and other due diligence costs. The future courthouse site can be acquired with the funds available and in accordance with Legislative intent.

CEQA

Subsequent to the site selection process and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the Judicial Council of California, acting in the capacity of Lead Agency, will undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. This will be submitted with a future site acquisition application for the selected site.

Project Schedule

Anticipated close of escrow is December 2010.

Condition of Properties

On July 1, 2008, Department of General Services (DGS) Environmental Services Section (ESS) personnel conducted a site visit to the subject property. The site consists of five parcels totaling approximately 2.24 acres and is bounded by West 7th Street, West 6th Street, South Gateway Drive (in part) and Highway 99 (in part) in the City of Madera. The five parcels include the County Central Garage, a Veterans of Foreign Wars hall, two single family residences and a vacant lot. The site is located across the street from existing court facilities, and is within the local government center. The site has street accessibility. There is an alley between the County Central Garage and the four other parcels. On this alley exists underground and above ground utility systems which will be relocated by the RDA.

William Lettis & Associates, Inc. conducted a desktop study of maps and documents produced by the California Geological Survey. This site and an alternative site were evaluated for three earthquake-related geologic hazards: surface fault rupture, earthquake-induced landslide failure and liquefaction. It was determined that there is negligible hazard of surface-fault rupture at either site; there is negligible hazard of earthquake-induced land sliding at either site; and the liquefaction hazard at both sites is low.

A Phase I Environmental Site Assessment (ESA) was prepared by Tetra Tech EM, Inc. on March 28, 2008, for the site. The DGS-ESS concurs with the following conditions are provided in the report:

- The County Central Garage currently maintains two 10,000-gallon underground storage tanks (USTs) to store gasoline. No leaks, spills or breaches have been reported. Tetra Tech recommended continued monitoring program with respect to these USTs.
- The County Central Garage houses regulated amounts of hazardous materials and waste such as above-ground storage tanks and 55-gallon drums that contain new and used oil, solvents, transmission oil and hydraulic fluid. The stored hazardous materials and wastes were placed above secondary containment spill pallets; no obvious indications of significant staining were observed. A survey of these buildings for the presence of subsurface hydraulic lifts was recommended. When the areas are identified a Phase II subsurface investigation will be obtained by the Judicial Council of California (JCC), prior to submitting for site acquisition approval.

- Based on the approximate construction dates of the improvements on the site, asbestos-containing materials and lead-based paint are suspected to exist.
- Prior to submitting for site acquisition approval, a Phase II sampling investigation will be obtained by the JCC in the area indicated by a dry cleaning operation believed to be in operation from 1929 through 1959 due to the up gradient position of this operation to the project site.

Other:

- The proposed site meets the size, location, and compatibility requirements of the Judicial Council of California (JCC).
- On February 24, 2006, the JCC approved the planning and budgeting for the New Madera Courthouse pursuant to Judicial Branch AB 1473 Five-Year Infrastructure Plan for Fiscal Year 2007-2008.
- The site is zoned for commercial and residential land uses.
- All of the on-site improvements are linked to the municipal sewage and potable drinking water system.
- Electricity and natural gas are provided to the site by Pacific Gas and Electric.
- There is relocation assistance involved with this project. The Community Redevelopment Agency will hire a relocation consultant to complete a relocation study and manage the relocation process prior to acquisition by the JCC.
- There is no implied dedication involved with this project.
- The purchase price shall not exceed estimated fair market value as determined by DGS approved appraisals.
- JCC will be required to address the Phase II findings and any required mitigation measures during the analysis of CEQA review.
- The County of Madera has a reversionary interest in the VFW property. The reversionary interest states that in the event the property is no longer used for veteran's activities, the property shall revert back to the County. Prior to final acquisition it will be necessary to clear this reversion from title to the property.

Staff Recommendation: Authorize site selection.

CONSENT ITEM

CONSENT ITEM—7

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
SAN MARCOS FOREST FIRE STATION, REPLACE FACILITY
SAN DIEGO COUNTY**

*Authority: Chapter 106, Statutes of 2001, Item 3540-301-0001 (18.5)
Chapter 379, Statutes of 2002, Item 3540-301-0660 (9)
Chapters 38 and 39, Statutes of 2005, Item 3540-301-0660 (3.35)
Chapters 47 and 48, Statutes of 2006, Item 3540-301-0660 (2.2)*

Approve augmentation

\$421,000

**(10 percent total project)
(18.1 percent cumulative)**

CONSENT ITEM

STAFF ANALYSIS ITEM—7

Department of Forestry and Fire Protection
San Marcos Forest Fire Station, Replace Facility
San Diego County

Action Requested

The requested action will approve an augmentation for the construction phase.

Scope Description

This project is within scope. This project provides a new 2,376 square feet (sf) 8-bed barracks/mess hall building, a 1,697 sf 2-bay apparatus building, and a 128 sf flammable storage building. This project also includes parking areas, site work, utilities, paving, fencing, landscaping, a fueling facility with a 1,000 gallon split fuel tank and associated appurtenances.

Funding and Cost Verification

This project is not within cost. A total of \$4,209,000 has been appropriated for acquisition, preliminary plans, working drawings and construction. The Department of Forestry and Fire Protection (CAL FIRE) has requested a final augmentation of \$421,000 (10 percent total project) to complete the San Marcos Forest Fire Station, Replace Facility project. The augmentation consists of contractor extended overhead costs and construction inspector cost increases related to schedule delays (\$358,162), and agency retained items to install an emergency generator and generator building for redundancy purposes (\$62,838). This augmentation, combined with previous augmentations totaling \$343,963 (to award the contract), will result in a cumulative augmentation of \$764,963 (18.1 percent total project).

The project delays were caused by the City of Escondido and the County of San Diego's street improvement requirements that mandated the installation of underground utilities. This work has been authorized and completed; however, this request allows the project to pay for the delays associated with the utility work.

On July 18, 2008, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and the Assembly Appropriations Committees of its recommendation that the PWB approve this augmentation and the notice period has expired without comment.

\$4,592,000	total estimated project costs
\$4,171,000	total authorized project costs
\$4,171,000	project costs previously allocated: acquisition \$533,780, preliminary plans \$207,000, working drawings \$153,000, and construction \$3,276,000 (\$2,822,398 contract, \$123,120 contingency, \$139,868 A&E, \$156,000 other project costs, and \$35,000 agency retained)
\$ 421,000	requested augmentation

CEQA

A Notice of **Exemption/Determination** was filed with the State Clearinghouse on February 25, 2002, and the waiting period expired on March 31, 2002.

Real Estate Due Diligence

The real estate due diligence was completed prior to the bond sale and no issues were discovered that required resolution or mitigation.

Project Schedule

Approve preliminary plans	August 2003
Complete working drawings	August 2005
Complete construction	February 2008

Staff Recommendation: **Approve augmentation, contingent on the expiration of the 20-day notification period without comment.**

CONSENT ITEM

CONSENT ITEM—8

DEPARTMENT OF DEVELOPMENTAL SERVICES (4300)
FAIRVIEW DEVELOPEMENTAL CENTER
INSTALL PERSONAL ALARM LOCATING SYSTEM
COSTA MESA, ORANGE COUNTY

Authority: Chapters 171 and 172, Statutes of 2007, Item 4300-301-0001 (2)

Approve preliminary plans

CONSENT ITEM

STAFF ANALYSIS ITEM—8

Department of Developmental Services
Fairview Developmental Center
Install Personal Alarm Locating System
Costa Mesa, Orange County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. The authorized project will design, purchase, and install a Personal Alarm System for 16 Intermediate Care Facility buildings and a school at Fairview Developmental Center. The new equipment will include: infrared locators, personal transmitters, pagers, speakers, audio equipment and miscellaneous conduit, and wire. Additional, items provided are mounting poles, repeaters, and miscellaneous devices for interior and exterior monitoring of staff.

Funding and Project Cost Verification

This project is within cost.

\$3,159,000	total estimated project costs
\$3,159,000	total authorized project costs
\$ 239,000	state project costs previously allocated: preliminary plans
\$2,920,000	state project costs to be allocated: working drawings \$260,000, construction \$2,660,000 (\$2,129,000 contract, \$149,000 contingency, and \$382,000 administration, testing, inspection)

CEQA

A Notice of Exemption was submitted to the State Clearinghouse on July 1, 2008. The 35-day statute of limitation period is scheduled to expire August 4, 2008.

Real Estate Due Diligence

Due diligence was completed in May 2008 and there are no unresolved issues or recommendations for resolution/mitigation proposed.

Project Schedule

Approve preliminary plans	August 2008
Approve working drawings	November 2008
Complete construction	March 2010

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM

CONSENT ITEM—9

CALIFORNIA COMMUNITY COLLEGES (6870)
LOS ANGELES COMMUNITY COLLEGE DISTRICT, MEDIA ARTS CENTER
LOS ANGELES MISSION COLLEGE
LOS ANGELES COUNTY

Authority: Chapters 171 and 172, Statutes of 2007, Item 6870-303-6049 (5)

Approve preliminary plans

CONSENT ITEM

STAFF ANALYSIS ITEM—9

California Community Colleges
Los Angeles Community College District, Media Arts Center
Los Angeles Mission College, Los Angeles County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. This project builds permanent facilities for the Media Arts program and moves out of leased off-campus space. The new 26,374 assignable square feet (asf) facility will include 966 asf lecture, 9,182 asf laboratory, 1,942 asf office, 669 asf library, 279 asf AV/TV, and 13,336 asf of other support space.

Funding and Project Cost Verification

This project is within cost.

\$32,749,000 total estimated project costs

\$28,070,000 total authorized project costs

\$ 520,000 state project costs previously allocated: preliminary plans

\$13,515,000 state project costs to be allocated: working drawings \$554,000, construction \$12,578,000 (\$11,438,000 contracts, \$572,000 contingency, \$568,000 administration, testing, inspection), and \$383,000 equipment

\$ 521,000 local funds previously allocated: preliminary plans

\$18,193,000 local funds to be allocated: working drawings \$553,000, construction \$17,257,000 (\$14,652,000 contracts, \$2,036,000 contingency, \$569,000 administration, testing, inspection), and \$383,000 equipment

CEQA

A Notice of Determination for the District's Facility Master Plan including this project was submitted to the State Clearinghouse on October 11, 2005 and the public comment period has expired.

Real Estate Due Diligence

Community college districts are local entities and the state does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

Approve preliminary plans	August 2008
Complete working drawings	April 2009
Complete construction	December 2010

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM

CONSENT ITEM—10

**CALIFORNIA COMMUNITY COLLEGES (6870)
SEQUIOIAS COMMUNITY COLLEGE DISTRICT, PHASE I SITE DEVELOPMENT AND
FACILITIES
TULARE CENTER, TULARE COUNTY**

Authority: Chapters 171 and 172, Statutes of 2007, Item 6870-301-6049 (44)

Approve preliminary plans

CONSENT ITEM

STAFF ANALYSIS ITEM—10

California Community Colleges
Sequoias Community College District, Phase 1 Site Development and Facilities
Tulare Center, Tulare County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. The proposed project provides growth in instructional space and the relocation of the college farm to the Tulare Center site. This project includes the necessary infrastructure to support the first phase of permanent facilities of 53,054 assignable square feet (asf) comprised of 5,492 asf lecture, 21,309 asf laboratory, 6,861 asf office and administrative support, 10,787 asf library, 3,936 asf AV/TV, and 4,669 asf other spaces.

Funding and Project Cost Verification

This project is within cost.

- \$59,262,000 total estimated project costs
- \$59,262,000 total authorized project costs
- \$ 1,723,000 state project costs previously allocated: preliminary plans
- \$57,539,000 state project costs to be allocated: working drawings \$2,519,000, construction \$51,714,000 (\$46,766,000 contracts, \$2,338,000 contingency, \$2,610,000 administration, testing, inspection), and \$3,306,000 equipment

CEQA

A Notice of Determination for the District's Facility Master Plan including this project was submitted to the State Clearinghouse on March 27, 2003, and the public comment period has expired.

Real Estate Due Diligence

Community college districts are local entities and the state does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

Approve preliminary plans	August 2008
Complete working drawings	January 2009
Complete construction	December 2011

Staff Recommendation: Approve preliminary plans.

ACTION ITEMS

ACTION ITEM—1

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
IRISH HILLS-MONTANA DE ORO
SAN LUIS OBISPO COUNTY
DGS Parcel Number 10521, DPR Parcel Number 6066

Authority: Chapter 52, Statutes of 2000, Item 3790-301-0005 (20)

Consider:

Authorizing acquisition

ACTION ITEMS

STAFF ANALYSIS—1

Department of General Services
Department of Parks and Recreation
Irish Hills-Montana de Oro
San Luis Obispo County

Action requested

The requested action will authorize acquisition.

Scope Description

This project is within scope. This project authorizes the acquisition of approximately 5,909 acres as an addition to Montana de Oro State Park and would provide trail connectivity from the park to Avila Beach. This requested action will authorize acquisition of 2,009.2 acres of land (12 legal parcels) that are owned by The Nature Conservancy (TNC) and the Andre family, and is the first of a two phase acquisition. The second phase, consisting of two parcels, the Hibberd Preserve (1,500 acres) and the Avila Ranch (2,400 acres), will come before the Board for site selection in the near future. Once all the acquisitions have been completed, DPR will be able to fulfill its plans for the development of a coastal trail from Montana de Oro State Park to the town of Avila, as well as the preservation of rare and precious undisturbed coastal lands in San Luis

Obispo County.

This project will fulfill five of seven DPR's acquisition guidelines by providing for expanded outdoor recreation opportunities, significant cultural resources properties, cultural landscapes, in-holdings and adjacent properties, and trail connections and corridor acquisitions. Once acquired, a hiking trail will traverse the properties being acquired in the Irish Hills, as well as trail linkages through existing public lands (BLM). While some of the parcels are not directly contiguous with Montana de Oro State Park, once all acquisitions are completed and the necessary easements obtained, the public will be able to hike from Montana de Oro State Park to the town of Avila and the ocean.

Funding and Cost Verification

This project is within cost. The total cost of the project, for both acquisition phases, is estimated to be \$13,000,000 (not including the additional \$17,825,000 in non-state funding to be used for the second phase). A total of \$13,000,000 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Proposition 12) for the purchase of parcels located within the Irish Hills near Montana de Oro State Park is available, of which \$5,787,000 will be used for the first acquisition phase (see below), in accordance with legislative intent. The remainder of the appropriation will be used, in combination with other public and private funding to fund the second acquisition phase.

\$13,000,000 total authorized project costs

\$13,000,000 total estimated project costs

\$ 60,000 project costs previously allocated: DGS staff costs

\$12,940,000 project costs to be allocated: \$5,727,000 for the first acquisition phase and \$7,213,000 for the second acquisition phase.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 10, 2008. The 35-day litigation period expired on May 15, 2008.

Project Schedule

The anticipated close of escrow is August 2008.

Condition of Property

In April 2008, the Department of General Services (DGS) - Environmental Services Section personnel conducted a Condition of Property visit of the above properties in San Luis Obispo County. The properties are approximately 2,009.2 acres in size and are characterized as steeply-sloped coastal chaparral. The only improvements are an unoccupied cedar and shake home, two small wells, a small unoccupied cabin, and a small storage shed. The cedar and shake home is situated on the former Basseri property and appears to be in good condition. One of the wells is not operational. No hazards or environmental conditions were observed. A Phase 1 Environmental Site Assessment (ESA), dated November 15, 2007, was provided to DGS/ESS personnel and indicated that no recognized environmental conditions were found.

Other:

- The Board approved these properties for site selection at the June 13, 2008, and July 11, 2008, meetings.
- Legal access for six of the parcels is via See Canyon Road, a county road.
- Two of the parcels do not have legal access. DPR believes it possible that these two parcels may have historical access since they were originally acquired from the Federal Government pursuant to the Homestead Act, which requires occupation of the property as a condition of the Homestead Act grant, and further implies access as to facilitate the qualifying occupation. DPR will continue to research whether access actually exists. In the future event that the two land-locked parcels become desirable for trail development DPR will pursue access easements through neighboring BLM property. Although neither of these parcels would be in the intended trail rights-of-way, their purchase is necessary due to the "all or nothing" nature of these transactions.
- The properties identified as Number 1 and 1A (Andre Properties) on the attached map consist of 730.2 acres, and are critical for trail development, viewshed preservation, and access to the other parcels being acquired. The larger of the two properties, Number 1 (530.2 acres) provides public access via See Canyon Road, and also will serve as a staging area/trailhead that would allow for immediate public recreational use. The Andre properties have an appraised value of \$1,825,000 and are currently under an option agreement that expires in September 2008.
- The ten parcels identified as Number 2 on the attached map (TNC) total 1,279 acres, and have an appraised value of \$3,842,000. These will also be used for trail development and viewshed protection.
- The proposed future Phase 2 acquisitions indicated (Number 3) on the attachment will provide a gateway to the town of Avila and fulfill the DPR's vision at Irish Hill. These two parcels, the Hibberd Preserve and the Avila Ranch, consist of 1,500 acres and 2,400 acres, respectively.
- Once all parcels have been acquired they will serve as plottage to each other, thus providing legal access to all parcels except the two previously discussed land-locked parcels.
- The US Bureau of Land Management (BLM) has been approached to obtain public trail easements across its properties. BLM has delivered a letter endorsing DPR's potential acquisition as an addition to Montana de Oro State Park and has also indicated a willingness to work with DPR in evaluating whether BLM land could contribute towards the coastal trail project.
- PG&E has also been contacted in regard to obtaining a trail easement on their land, if needed. PG&E recently open to the public a hiking trail over a portion of the buffer lands surrounding Diablo Canyon Nuclear Power plant on June 28, 2008 as a condition of receiving a permit for building a storage facility for used reactor fuel. This newly open hiking trail commences at Montana de Oro State Parks and winds through the power plant buffer area to Crowbar Canyon and the Point Buchon Trail.
- The purchase price will not exceed the estimated fair market value as determined by an appraisal reviewed by DGS.
- There is no relocation assistance involved with this project.
- There is no implied dedication.
- The DPR is not aware of any lawsuits pending on the property. The Property Acquisition Agreement (PAA) requires delivery of title to the property free and clear of any mortgages or liens.

- Any changes to public access, use, development, resources, or habitat protection will be addressed through the normal budget process.
- DPR will at a later date determine the status of the small cabin located on the property. For the time being it will remain on the property and left unoccupied. The cedar and shake home will either serve as a DPR regional office and/or possible ranger housing.
- The PAA does not include the state's standard indemnification language, potentially exposing the state to additional fiscal liability; however, neither the Environmental Impact Report nor the physical site visit by ESS staff identified any adverse conditions that would likely pose an exceptional risk to the state. Further, given the fact that the property is largely unimproved natural habitat, the risk associated with acquiring these properties without the standard indemnification is low. It should be noted that the lack of indemnification language does not relieve the Seller of liability under existing law.
- DPR has indicated that the interim operation of both phases of the Irish Hills acquisitions can be accomplished with existing staff and equipment. Any future staffing, operations, and maintenance costs of the final completed Irish Hills project development will be considered through the normal budget process.
- DPR currently anticipates opening the properties to public use in January 2010.

Staff Recommendation: Authorize acquisition.

OTHER BUSINESS

OTHER BUSINESS—1

RESOLUTION OF THE STATE PUBLIC WORKS BOARD AUTHORIZING THE DELEGATION OF CERTAIN FUNCTIONS AND APPROVALS TO STAFF

Consider the adoption of a Resolution authorizing the delegation of certain functions and approvals by staff, which would replace and consolidate prior resolutions authorizing the delegation of similar actions, to ensure administrative efficiencies

OTHER BUSINESS

STAFF ANALYSIS ITEM—1

Resolution of the State Public Works Board Authorizing the Delegation of Certain Functions and Approvals to Staff

The State Public Works Board (Board) is required by law to perform various functions or approvals in relation to its capital outlay oversight responsibilities and bond issuance obligations. In an effort to improve the efficiency of these processes, the Board has approved the delegation of certain functions and approvals to its duly appointed Administrative Secretary or Assistant Administrative Secretaries.

Because the Board has approved several resolutions authorizing the delegation of various Board functions over the years, the last of which was approved in 2002, it is beneficial to reaffirm the intentions of the Board to ensure the desired efficiencies are being achieved. This action also helps clarify administrative roles and responsibilities by consolidating the Board's many delegations into one resolution.

In summary, the Resolution would delegate the following actions and approvals, if certain conditions, as specified in the Resolution, are met and there are no controversial issues that would prevent staff from recommending approval of the request:

- **Authorize certain types of site selection.** Existing delegation
 - The administrative function of site selection would be delegated to staff under specified conditions. Approval of acquisitions would still be approved by the Board.
- **Authorize acquisition of less-than-fee property rights, such as an easement, right-of-way, or offer to dedicate under specified conditions.** New delegation
 - Would expedite the approval of essential acquisitions of less-than-fee property rights to the extent the cost does not exceed \$400,000 and approval will not result in additional state liabilities.

- **Provide approval to departments to receive bids for the construction of several public works projects as a single project.** New delegation
 - Delegation of administrative function to staff would accelerate the bid process and start of construction.
- **Enter into contracts or Interagency Agreements with financial consultants, legal advisors, and accountants if certain conditions are met.** New delegation
 - Delegation would ensure continuity of business and accelerate awarding contracts equal to or less than \$100,000.
- **Consent to an assignment, subletting or transfer of space that is included in a Facility Lease, as required by a Facility Lease.** Clarification of existing delegation
 - Clarifies an existing delegation of an administrative function that ensures timely review and approval of leases related to Board financed facilities.
- **Approve augmentations up to 10 percent of the total capital outlay appropriations.** Existing delegation
 - Reconfirms the Boards current delegation authorizing staff to approve project augmentations up to 10 percent of the total capital outlay appropriation for a specified project.
- **Approve the reversion of project savings.** New delegation
 - Delegation of administrative function would accelerate staff's ability to capture project savings.
- **Prepare Written Requests for various routine account administration functions.** Clarification of existing delegation
 - Clarifies an existing delegation of an administrative function that ensures timely review and approval of various routine documents related to bond and project administration.
- **Approve the use of inmate ward labor.** New delegation
 - Delegation of a routine administrative function consistent with legislative approval of the project.

Staff Recommendation: Adopt resolution.

REPORTABLES

To be presented at the meeting.