



CALIFORNIA STATE
PUBLIC WORKS BOARD

ARNOLD SCHWARZENEGGER, GOVERNOR

915 L STREET ■ NINTH FLOOR ■ SACRAMENTO CA ■ 95814-3706 ■ (916) 445-9694

MEETING AGENDA WITH ANALYSIS

NOTICE OF MEETING
STATE PUBLIC WORKS BOARD

Friday
February 8, 2008

The STATE PUBLIC WORKS BOARD will meet on Friday February 8, 2008, at 10:00 a.m. in Room 113 in the 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

February 8, 2008

10:00 a.m.

Room 113

State Capitol

Sacramento, California

I. Roll Call

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

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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, Legislative Advisor
Senator Darrell Steinberg, Legislative Advisor
Senator, Denise Ducheny, Legislative Advisor
Senator, Carole Migden, Legislative Advisor

II. Approval of minutes from the January 14, 2008 meeting
Report on conditional approvals of last meeting.

III. Bond Items	Page 3
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VI. Other Business	Page 14
VII. Reportables	Page 14

BOND ITEM

NONE.

CONSENT ITEM

CONSENT ITEM - 1

JUDICIAL COUNCIL OF CALIFORNIA (0250)
NEW ANTIOCH AREA COURTHOUSE
CONTRA COSTA COUNTY
AOC Facility Number 07-G1

Authority: Chapter 1082/02, commencing with Section 70301 of the Government Code as amended
Chapter 38/05, Item 0250-301-3037(1)
Chapter 47/06, Item 0250-301-3037(1)

Approve Preliminary Plans.

CONSENT ITEM

STAFF ANALYSIS - ITEM 1

Judicial Council of California
New Antioch Area Courthouse
Contra Costa County

Action Requested

The requested action will approve Preliminary Plans.

Scope Description

This project is within scope. The authorized scope for this project is to construct a new trial court building of approximately 73,500 gross square feet to accommodate seven courtrooms on a 4.16 acre site in the City of Pittsburg. The scope includes a 2 story building (plus partial basement), site work, utilities, parking, and Fixtures/Equipment.

Funding and Cost Verification

The construction estimate at the end of preliminary plans (100 percent design development) prepared by the Sundt Construction Company (Construction Manager-at-Risk), indicates that a construction cost of \$47,821,107 reflects the anticipated construction bids. Based on the approved state budget for FY 2007-08, the project is over-budget. The Department will seek to increase the appropriation for construction through the Spring finance letter process.

\$66,154,000 total estimated project costs

\$64,729,000 total authorized project costs

\$13,101,000 project costs previously allocated: \$6,672,000 acquisition, \$2,797,000 preliminary plans, \$3,632,000 working drawings

\$51,628,000 project costs to be allocated: construction (\$44,188,000 contract, \$2,209,000 contingency, \$1,639,000 A&E, \$2,476,000 construction management and special consultants, \$1,116,000 other)

\$ 1,425,000 unrecognized deficit

CEQA

The Judicial Council prepared an initial study and mitigated negative declaration to comply with CEQA. The project with its mitigation measures will not have a significant effect on the environment. The Judicial Council, as lead agency, approved the Project on February 23, 2007. A Notice of Determination was filed with the State Clearinghouse on February 26, 2007, and the 30-day statute of limitations expired on March 28, 2007.

Project Schedule

The project schedule is as follows:

Approve preliminary plans:	February 2008
Complete Working Drawings:	September 2008
Complete Construction:	May 2010

Staff Recommendation: Approve Preliminary Plans.

CONSENT ITEM

CONSENT ITEM - 2

JUDICIAL COUNCIL OF CALIFORNIA (0250)
NEW MAMMOTH LAKES COURTHOUSE
MONO COUNTY
JCC Parcel Number JCC508A

Authority: Chapter 47/48, Budget Act of 2006, Item 0250-301-3037 (1.3)

Authorize acquisition.

CONSENT ITEM

STAFF ANALYSIS – ITEM 2

Judicial Council of California
New Mammoth Lakes Courthouse

Action Requested

The action requested will authorize acquisition.

Scope Description

This project is within scope. The project provides for the site acquisition of land for the construction of a new courthouse in the Town of Mammoth Lakes, Mono County. This request will authorize the Judicial Council of California (“JCC”), Administrative Office of the Courts (“AOC”) to purchase approximately two acres of undeveloped land from the County of Mono (“County”), and the Town of Mammoth Lakes (“Town”) known as the (“Seller”). The subject property will be the site for the New Mammoth Lakes Courthouse.

The courthouse building, when completed, will provide an approximate 20,000 square foot courthouse with two courtrooms and necessary support space for staff. The new courthouse will replace the existing court facility, which is a leased space in a shopping mall. It will relieve the current space shortfall, increase security, and replace the inadequate and obsolete facility. The Transfer of Responsibility from the County to the State of California (“State”) for the leased facility occurred in September 2005. The courthouse project is intended to be a part of the Master Planned Government Center (“MPGC”) that may also include other governmental buildings and public facilities such as a Public Safety Building, a Town Hall, a County Office Building, a community center, public parking facility, roads, sidewalks and trails, bus stops and other public and private uses.

Funding and Cost Verification

This project is within cost. Chapter 47/48, Budget Act of 2006, Item 0250-301-3037 (1.3) provides funding for this acquisition of fee simple interest. The property can be acquired with the funds available and in accordance with Legislative intent.

\$15,900,000 total estimated project costs

\$ 2,780,000 project costs previously allocated (\$1,353,000 acquisition, \$702,000 preliminary plans, \$725,000 working drawings)

\$13,120,000 project costs to be allocated for construction (\$10,859,000 contract, \$543,000 contingency \$1,225,000 A&E, \$493,000 other)

CEQA

Subsequent to the site selection process and in accordance with the California Environmental Quality Act (Public Resources Code Section 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations, the JCC, acting in the capacity of Lead Agency, prepared a draft Initial Study and a Mitigated Negative Declaration (CEQA document) for the project located at the Mammoth Lakes site and filed the CEQA document for public comments. After receiving public comments, the AOC prepared a final CEQA document and a related Mitigation Monitoring Program. The study determined that the project with its adopted mitigation measures will not have a significant impact on the environment. As the lead agency, the JCC approved the Final Mitigated Negative Declaration and the acquisition of the property on December 7, 2007. A Notice of Determination was filed with the State Clearinghouse on December 7, 2007, and the 30-day statute of limitation expired on January 6, 2008.

Project Schedule

The project schedule is as follows:

Approve preliminary plans: June 2008
Approve working drawings: May 2009
Complete construction: October 2010

Condition of Property

On November 1, 2007, the Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a follow up site inspection of the property for the proposed Mammoth Lakes Courthouse. The approximately two acre subject property is located at the intersection of Highway 203, Main Street, to the north and Sierra Park Road to the west. The property is flat with a moderate stand of Jeffrey pine. A dirt and gravel road accesses an adjacent church from the highway and is along the easterly boundary of the proposed courthouse property.

A Phase I Environmental Site Assessment was completed February 2007 in general conformance with the scope and limitations of American Society for Testing and Materials (ASTM) Standard E 1527-00, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. Based upon the information and data obtained during this investigation, the consultant did not identify any recognized environmental conditions (REC) on the property. No new concerns were identified in the ESS property inspection.

Other:

- The PWB approved this project for site selection at the March 9, 2007 meeting.
- The purchase price shall not exceed estimated fair market value as determined by a Department of General Services (DGS) approved appraisal.

- There is a non-exclusive easement in favor of the Town located on the northern portion of the property for use as a recreational bike trail. The Town has agreed to properly and safely maintain and repair the recreational bike trail easement. It has been determined that this easement and any implied dedication does not negatively impact the value of the property.
- The Town will reserve a non-exclusive access easement and will grant the State a 25' non-exclusive easement for the purpose and benefit of public access from and to Sierra Park Road.
- There is no relocation assistance involved with this project.
- Pertinent terms and provisions of the Land Acquisition Agreement ("Agreement") are as follows:
 - a) If the AOC does not commence construction of the courthouse on the property on or before 10 years after the date of close of escrow and the recording of the Grant Deed, it will constitute an event of default as provided in the Agreement and the Grant Deed, and will entitle the Seller to exercise the right of repurchase of the property. An event of default will not occur if the AOC is unable to commence construction due solely to the State's failure to timely approve and adopt a State budget. However, if the State does not commence construction by the year 2018, the Seller will have the right to repurchase the property.
 - b) The AOC may satisfy the parking requirements of the courthouse project by any combination of the following means: Subterranean parking on the courthouse site; surface parking on the courthouse site; lease of space within the master plan area; lease of alternative space within walking distance; lease of alternative space within 500 feet of the MPGC or the AOC may propose an alternate plan that will be mutually acceptable to both the AOC and the Seller and/or payment of parking in lieu of fees to the Town.
 - c) The AOC has entered into a lease with the Seller for up to 45,000 square feet of unimproved land within the MPGC area for the construction of up to 80 parking spaces. The lease will be effective upon the date of its execution, but the term will commence upon the initiation of construction of the courthouse and end 50 years after the commencement date. The AOC will have the right to extend its tenancy beyond the initial term for three additional successive optional renewal terms of five years each. The Seller agrees to waive payment of rent in exchange for use of the parking lot by the general public on weekdays after normal court working hours, weekends, and court holidays. The AOC will be responsible for the construction, installation and completion of the tenant improvements to the parking lot.
 - d) Implementation of the MPGC requires the AOC, at its own expense, to construct Sierra Park Road right of way improvements which abut the courthouse site at the time the courthouse is constructed.
 - e) The purchase price for the property shall include the following: relocation of utilities; replacement or relocation of the church located outside the courthouse site on the Town owned property; and all development fees, if any, that might apply to the State project.
- The Agreement does not include the State's standard environmental indemnification language. Based upon the DGS-ESS site visit to the property, and a review of the Phase I Environmental Site Assessment, it does not appear that there are any environmental conditions that would pose exceptional risk to the State.
- The Agreement will require delivery of title to the property free and clear of any mortgages or liens.

Staff Recommendation: Authorize acquisition.

CONSENT ITEM

CONSENT ITEM - 3

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
MARSHALL GOLD DISCOVERY STATE HISTORIC PARK, LEFEVRE
EL DORADO COUNTY
DPR Parcel Number 014674, DGS Parcel Number 10511

Authority: Chapter 171/07, Item 3790-301-6051(3.7)

Authorize site selection.

CONSENT ITEM

STAFF ANALYSIS - ITEM 3

Department of General Services
Department of Parks and Recreation
Marshall Gold Discovery State Historic Park, Lefevre

Action requested

The requested action will authorize site selection.

Scope Description

This project is within scope. The Legislature has approved funding for the purchase of interests in lands that meet criteria established for the Proposition 84 Bond - Safe Drinking, Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006, without specifying particular parcels. This request will authorize site selection of fee simple interest of approximately 2-acres of land as an addition to the Marshall Gold Discovery State Historic Park.

The approximately 2-acre property is currently an in-holding to the Marshall Gold Discovery State Historic Park, the site of gold discovery in California. The park is the historic core of the Town of Coloma and includes many historic structures. This property is zoned commercial and the potential for development of this parcel could greatly impact the visual quality, interpretive value, and historic landscape of the surrounding park lands. The current use of the property is open space and is contiguous to the surrounding open space of the Marshall Gold Discovery State Historic Park unit. The property offers undeveloped land that contains non-native grasses with some shrubs and trees. Because nearly all of the ground in this portion of Coloma contains cultural artifacts, it is important to preserve the historical value this property offers. The Department of Parks and Recreation (DPR) is interested in acquiring this property to prevent any potential development and for the preservation of its historical and cultural value.

Funding and Cost Verification

This project is within cost. Chapter 171/07, Item 3790-301-6051(3.7) provides funding for this acquisition of fee simple interest. The property can be acquired with the funds available and in accordance with Legislative intent.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 3, 2008, and the statute of limitations expired on February 7, 2008.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is March 2008.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a field inspection of the approximate 2-acre property located in El Dorado County on December 27, 2007. The parcel is located adjacent to and west of Highway 49 in Coloma, California. State Park property is located north, south, and east of the subject property. The property is flat in the front portion with mowed grasses and is steep and oak-covered near the rear of the property. Power lines and poles run south to north through the middle of the parcel. In the middle of the property is a 25 x 25 foot stone foundation. A 6 x 6 foot rock and wood enclosed abandoned structure is located near a cedar tree and power lines. There is a water spigot near this structure. A one and ½ inch metal pipe runs from behind the property until buried at the back of the property. Near the southwest corner of the property is a 12 x 25 foot old wood and tin shed, as well as an old 8 x 8 foot wooden shed. Minor amounts of trash and debris are scattered throughout the site. DPR staff may want to evaluate the structures for any historical significance and remove the discarded items on the property.

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 property.
- DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property fee and clear of any mortgages or liens.
- There is no relocation assistance involved with this acquisition.
- The LeFevre property is an approximate 2-acre in-holding acquisition within Marshall Gold Discovery State Historical Park in El Dorado County. The management plan is to provide periodic patrols of the property as part of the routine patrols for the entire park unit. As such, no additional support needs are anticipated with the acquisition of this property.
- 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.

Staff Recommendation: Authorize site selection.

CONSENT ITEM

CONSENT ITEM - 4

**CALIFORNIA COMMUNITY COLLEGES (6870)
COAST COMMUNITY COLLEGE DISTRICT, CONSUMER & SCIENCE LAB BUILDING
ORANGE COAST COLLEGE
ORANGE COUNTY**

Authority: Chapters 171 and 172/07, Item 6870-301-6049 (8)

Approve preliminary plans.

CONSENT ITEM

STAFF ANALYSIS - ITEM 4

California Community Colleges
Coast Community College District, Consumer & Science Lab Building
Orange Coast College, Orange County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. The authorized project constructs a new 50,400 assignable square foot (ASF) Consumer & Science Lab Building at the Orange Coast Campus of the Coast Community College District. The project creates space for the Health and Consumer Studies programs consisting of 5,499 ASF of lecture, 33,449 ASF of laboratories, 5,766 ASF of office, 1,493 ASF of library research and 4,193 ASF of other space. The project will also include the demolition of 37,492 ASF of 50-year old dilapidated space in order to make room for the new building.

Funding and Project Cost Verification

This project is within cost.

\$37,387,000	total estimated project costs
\$37,387,000	total authorized project costs
\$ 385,000	state project costs previously allocated: preliminary plans
\$16,364,000	state project costs to be allocated: working drawings \$744,000, construction \$15,227,000 (\$13,800,000 contracts, \$690,000 contingency, and \$737,000 administration, testing, inspection), and equipment \$393,000.
\$ 385,000	local funds previously allocated: preliminary plans
\$20,253,000	local funds to be allocated: working drawings \$744,000, construction \$15,228,000 (\$13,801,000 contracts, \$690,000 contingency, and \$737,000 administration), and equipment \$4,281,000.

CEQA

A Draft Environmental Impact Report (SCH 2006101027) was submitted to the State Clearinghouse February 2007 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

The project schedule is as follows:

Approve preliminary plans: February 2008
Complete working drawings: January 2009
Complete construction: September 2010

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM

CONSENT ITEM - 5

CALIFORNIA COMMUNITY COLLEGES (6870)
REDWOODS COMMUNITY COLLEGE DISTRICT
STUDENT SERVICES/ ADMINISTRATION AND PERFORMING ARTS BUILDING
COLLEGE OF THE REDWOODS
HUMBOLDT COUNTY

Authority: Chapters 171 and 172/07, Item 6870-301-6049 (29)

Approve preliminary plans.

CONSENT ITEM

STAFF ANALYSIS - ITEM 5

California Community Colleges
Redwoods Community College District
Student Services Administration and Performing Arts Center
College of the Redwoods, Humboldt County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. The authorized project constructs a new 23,408 assignable square foot (ASF) Student Services, Administration and Performing Arts Building. Minor design refinements have adjusted the asf from 23,408 to 23,690. The project will replace the existing student services administration building and four 42-year portable buildings that sit directly on several active earthquake faults. The new building contains 5,775 asf lab space, 15,348 asf office and administrative support space, 1,109 asf library space and 1,458 asf other space.

Funding and Project Cost Verification

This project is within cost.

\$17,806,000	total estimated project costs
\$17,806,000	total authorized project costs
\$ 710,000	state project costs previously allocated: preliminary plans
\$15,639,000	state project costs to be allocated: working drawings \$612,000; construction \$15,027,000 (\$13,430,000 contracts, \$672,000 contingency, and \$925,000 administration, testing, inspection).
\$ 1,457,000	local funds to be allocated: construction \$315,000 (\$315,000 contracts) equipment \$1,142,000.

CEQA

A Draft Environmental Impact Report (SCH 20070720222) was submitted to the State Clearinghouse July 2007 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

The project schedule is as follows:

Approve preliminary plans: February 2008
Complete working drawings: May 2009
Complete construction: February 2010

Staff Recommendation: Approve preliminary plans.

ACTION ITEMS

NONE

OTHER BUSINESS

NONE

REPORTABLES

1. Update on PWBs request for a private letter ruling from the IRS in regards to the issuance of tax-exempt lease revenue bonds to finance the acquisition of the Board of Equalization Building.
2. Other items to be presented at meeting.