



CALIFORNIA STATE
PUBLIC WORKS BOARD ARNOLD SCHWARZENEGGER, GOVERNOR

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MEETING AGENDA WITH ANALYSIS

NOTICE OF MEETING
STATE PUBLIC WORKS BOARD

Friday
March 14, 2008

The **STATE PUBLIC WORKS BOARD** will meet on **Friday March 14, 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
March 14, 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 February 26, 2008 meeting
Report on conditional approvals of last meeting.

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VI. Other Business	Page 48
VII. Reportables	Page 48

BOND ITEM

BOND ITEM 1

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
INFILL BED PROGRAM (PHASE I)
STATEWIDE**

Authority: Sections 15819.40(a), 15819.403, and 15819.404 of the Government Code

Adopt a resolution to:

1. Declare the official intent of the PWB to reimburse certain capital expenditures from the proceeds of indebtedness issued in accordance with the State Building Construction Act of 1955 (Act).
2. Authorize actions to be taken to provide for interim financing to be repaid from the State Buildings Construction Fund.
3. Authorize the sale of lease revenue bonds conditioned on receiving the opinions of counsel and certificates that the PWB customarily receives when issuing indebtedness under the Act.
4. Approve the form of and authorize the execution of one or more Project Delivery Agreements by and between the Department of Corrections and Rehabilitation and/or other agencies and the PWB.

Total Bond Authorization: \$1,800,000,000 plus augmentations and other eligible bond costs as authorized by the Act and the law.

BOND ITEM

STAFF ANALYSIS - ITEM 1

Department of Corrections and Rehabilitation
Infill Bed Program (Phase I)
Statewide

Action Requested

The requested action will adopt a resolution authorizing actions to be taken to provide for interim financing and the sale of lease revenue bonds to finance Phase I of the Infill Bed Program.

Scope Description

The project is within scope. The scope for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Infill Bed Program is ready to proceed.

Funding and Project Cost Verification

This project is within cost. The cost for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Infill Bed Program is ready to proceed. However, this action will authorize interim financing and the sale of lease revenue bonds for the entire amount authorized for Phase I of the Infill Bed Program.

\$1,800,000,000 total authorized project costs

\$1,800,000,000 total estimated project costs

\$1,800,000,000 project costs to be allocated:

CEQA

CEQA documentation will be developed during the design phase of each project initiated as part of Phase I of the Infill Bed Program.

Real Estate Due Diligence

Real estate due diligence will be performed during the design phase of each project initiated as part of Phase I of the Infill Bed Program.

Project Schedule

The project schedule is as follows:

The schedule for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Infill Bed Program is ready to proceed.

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM 2

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
REENTRY FACILITY PROGRAM (PHASE I)
STATEWIDE**

Authority: Sections 15819.40(b), 15819.403, and 15819.404 of the Government Code

Adopt a resolution to:

1. Declare the official intent of the PWB to reimburse certain capital expenditures from the proceeds of indebtedness issued in accordance with the State Building Construction Act of 1955 (Act).
2. Authorize actions to be taken to provide for interim financing to be repaid from the State Buildings Construction Fund.
3. Authorize the sale of lease revenue bonds conditioned on receiving the opinions of counsel and certificates that the PWB customarily receives when issuing indebtedness under the Act.
4. Approve the form of and authorize the execution of one or more Project Delivery Agreements by and between the Department of Corrections and Rehabilitation and/or other agencies and the PWB.

Total Bond Authorization: \$975,000,000 plus augmentations and other eligible bond costs as authorized by the Act and the law.

BOND ITEM

STAFF ANALYSIS - ITEM 2

Department of Corrections and Rehabilitation
Reentry Facility Program (Phase I)
Statewide

Action Requested

The requested action will adopt a resolution authorizing actions to be taken to provide for interim financing and the sale of lease revenue bonds.

Scope Description

The project is within scope. The scope for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Reentry Facility Program is ready to proceed.

Funding and Project Cost Verification

This project is within cost. The cost for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Reentry Facility Program is ready to proceed. However, this action will authorize interim financing and the sale of lease revenue bonds for the entire amount authorized for Phase I of the Reentry Facility Program.

\$975,000,000 total authorized project costs

\$975,000,000 total estimated project costs

\$975,000,000 project costs to be allocated:

CEQA

CEQA documentation will be developed during the design phase of each project initiated as part of Phase I of the Reentry Facility Program.

Real Estate Due Diligence

Real estate due diligence will be performed during the design phase of each project initiated as part of Phase I of the Reentry Facility Program.

Project Schedule

The project schedule is as follows:

The schedule for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Reentry Facility Program is ready to proceed.

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 3

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
MEDICAL, DENTAL, AND MENTAL HEALTH PROGRAMS (PHASE I)
STATEWIDE**

Authority: Sections 15819.40(c), 15819.403, and 15819.404 of the Government Code

Adopt a resolution to:

1. Declare the official intent of the PWB to reimburse certain capital expenditures from the proceeds of indebtedness issued in accordance with the State Building Construction Act of 1955 (Act).
2. Authorize actions to be taken to provide for interim financing to be repaid from the State Buildings Construction Fund.
3. Authorize the sale of lease revenue bonds conditioned on receiving the opinions of counsel and certificates that the PWB customarily receives when issuing indebtedness under the Act.
4. Approve the form of and authorize the execution of one or more Project Delivery Agreements by and between the Department of Corrections and Rehabilitation and/or other agencies and the PWB.

Total Bond Authorization: \$710,940,000 plus augmentations and other eligible bond costs as authorized by the Act and the law.

BOND ITEM

STAFF ANALYSIS - ITEM 3

Department of Corrections and Rehabilitation
Medical, Dental, and Mental Health Programs (Phase I)
Statewide

Action Requested

The requested action will adopt a resolution authorizing actions to be taken to provide for interim financing and the sale of lease revenue bonds.

Scope Description

The project is within scope. The scope for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Medical, Dental, and Mental Health Programs is ready to proceed.

Funding and Project Cost Verification

This project is within cost. The cost for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Medical, Dental, and Mental Health Programs is ready to proceed. However, this action will authorize interim financing and the sale of lease revenue bonds for the entire amount authorized for Phase I of the Medical, Dental, and Mental Health Programs.

\$710,940,000 total authorized project costs

\$710,940,000 total estimated project costs

\$710,940,000 project costs to be allocated:

CEQA

CEQA documentation will be developed during the design phase of each project initiated as part of Phase I of the Medical, Dental, and Mental Health Programs.

Real Estate Due Diligence

Real estate due diligence will be performed during the design phase of each project initiated as part of Phase I of the Medical, Dental, and Mental Health Programs.

Project Schedule

The project schedule is as follows:

The schedule for each project will be established through separate items that will be brought before the PWB for approval at such times as each project initiated as part of Phase I of the Medical, Dental, and Mental Health Programs is ready to proceed.

Staff Recommendation: Adopt resolution.

CONSENT ITEM

CONSENT ITEM 1

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
LONG BEACH COURTHOUSE, LOS ANGELES COUNTY**
AOC Facility Number 19-Y1

Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended, and Item 0250-301-3037(1.6) Chapter 171/172, Budget Act of 2007

- a. **Authorize the acceptance of real property and improvements thereon through a transfer of title**
- b. **Approve acquisition through an equity purchase**

CONSENT ITEM

STAFF ANALYSIS – ITEM 1

Judicial Council of California
Long Beach Courthouse, AOC Facility Number 19-Y1

Action Requested

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

Scope Description

This transaction is within scope. The County of Los Angeles (County) is transferring fee title in and to the court facility commonly known as the Long Beach Courthouse, located at 415 West Ocean Boulevard, Long Beach, 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), (collectively the Parties) pursuant to that certain Transfer Agreement Between the Council and the County of Los Angeles (Transfer Agreement). The Court Facility consists of approximately 3.7 acres of real property improved with a six-story building, parking lot, and associated landscaping. The AOC has been responsible for the funding and operation of the Court Facility since July 1, 2007 (Responsibility Transfer Date), upon which date the County transferred responsibility for that facility to the AOC. In addition to the transfer of title to the property, the Council entered into an Agreement for Compensation for Equity Interest (Equity Agreement) with the County to purchase the County's equity interest of 24.41 percent based on the County's Exclusive Use Area in the Building.

Funding and Cost Verification

This transaction is within cost. The County shall be entitled to compensation for any and all of the County's equity right and interest in and to the County Exclusive Use Area of the Building and Real Property pursuant to Chapters 171/172, Budget Year 07/08, Item 0250-301-3037(1.6). The compensation price for the County's equity in the County Exclusive Use Area of the Building and Real Property is \$5,889,000.00.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 29, 2007, and the 35-day statute of limitations period expired on July 2, 2007.

Project Schedule

The anticipated close of escrow is April 2008

Condition of Property

On August 28, 2007, Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a condition of property visit to the Long Beach Courthouse site. Prior to the site visit, ESS reviewed a Phase I Environmental Site Assessment (Phase I) report completed on March 30, 2007, by Earth Tech. The Phase I included an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility and reported that because the building was constructed prior to 1978, there could be asbestos containing material (ACM) and lead based paint. No evidence of damaged building materials or peeling paint was noted during the site visit except for some damaged walls and paint in the basement. The report recommends that an ACM and a lead based paint assessment should be completed prior to conducting any activity that may disturb the building material onsite, such as renovation or constructing tenant improvements. 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. Four recognized environmental conditions were cited in the Phase I and a Phase II investigation was recommended.

Subsequent to the review of the Phase I, a Phase II Environmental Site Assessment (Phase II) was prepared by Environmental Resources Management, dated November 2, 2007. The Phase II reviewed four recognized environmental conditions (RECs) identified in the Phase I as follows: a leaking underground storage tank (LUST); a historic on-site dry cleaning facility; a historic gas station and paint shop; and a historic taxi service. The DGS, ESS staff reviewed the Phase II on February 4, 2008. The Phase II found no physical evidence of subsurface impacts in the soil cores and the analytical results concluded that it is unlikely that these past historical operations have significantly impacted subsurface conditions or that future Courthouse operations would be adversely affected by such impacts. In addition, the City of Long Beach, Department of Health and Human Services, issued a "No Further Action" letter on September 28, 2006 regarding the LUST. Therefore, the property appears to be compatible with its intended future use and there are no RECs.

Building Assessment:

Staff from the AOC's Office of Court Construction and Management (OCCM) conducted a site visit of the Court Facility on March 14, 2007, to assess the general condition of the property. The site visit entailed a tour 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 OCCM 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:

Nabih Youssef of NYA licensed structural engineers, performed a Tier I seismic safety assessment of the building located in the Court Facility in September 2003, and inspected and evaluated the Court Facility for seismic safety in accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division. This seismic evaluation of the Court Facility was then peer-reviewed by other qualified engineers.

The County has commenced construction of a Seismic Retrofit Project (Project) on the Building. The AOC has reviewed the County's preliminary design information for the Project, and has determined that the Building has a seismic safety rating of Level V. Level V, as defined in the Risk Acceptability Table of the State Building Seismic Program developed by the Division of State Architect in April 1994, is an acceptable seismic safety rating for the transfer of the title to the Court Facility to the State under Government Code Section 70327. The County will complete the Project in or about January 2009.

Other

- The equity purchase price does not exceed estimated fair market value as determined by a DGS approved appraisal.
- On June 19, 2007, the Parties established a Joint Occupancy Agreement (JOA) that set forth the terms and conditions for the Parties' shared possession, occupancy and use of the land and the building (Real Property). Under the Trial Court Facilities Act (Act), and the Transfer Agreement, the County has the right to exclusively occupy and use the County Exclusive Use Area and the non-exclusive right to occupy and use the common area. The Council has the right to exclusively occupy and use the Court Exclusive Use Area and the non-exclusive right to occupy and use the common area. During the term of the JOA, the Council and County are responsible for the operation of their respective Exclusive Use Area at its sole cost and expense.
- Commencing on the Responsibility Transfer Date and continuing during the first and second year of the JOA, the Council delegates its responsibility for the operation of the Court Exclusive Use Area to the County. Prior to the end of the second year, the Council may terminate the delegation by written notice to the County. The purpose of the delegation is to provide a "soft landing" approach with the County to prevent employee layoffs and to give the Council time to gear up for the responsibility of operating and maintaining the Court Facility.
- During the term of the JOA, the Council as the Managing Party is responsible for the operation of the common area which is the area of the Real Property used non-exclusively and in common by the Council and the County. However, commencing on the Transfer of Responsibility date and continuing as long as the Parties agree thereafter the Council delegates all of its rights and duties as Managing Party of the common area to the County. The Council and County are responsible for paying their fair share of the costs of operation including utilities.
- The State's share of the courthouse will include areas used exclusively by the Superior Court and by the Sheriff's Court Services Division, the cafeteria and snack bar, the Child Waiting Room, the Law Library, the Self-Help Legal Access Center and other areas used by tenants. The County's share of the courthouse will include areas used exclusively by the County including the Probation Department, the District Attorney, the Public Defender and the Sheriff for all of its services that are not Court services.
- In accordance with SB1732, there is adequate parking for the Court Facility. The transfer of title to the property will include on-site parking areas to include a parking structure (Auto Park 67A) immediately north of the courthouse itself that has 205 parking

spaces of which 162 spaces are leased to the City of Long Beach, and 43 spaces that are shared by the Superior Court and the County. Additionally, there is a secured underground parking area beneath the Building which includes a total of 40 parking spaces. The County will provide to the Council, 425 parking spaces per day for the Superior Court Parking at the County's sole expense in Auto Park 67B which is located across the street from the Courthouse site on the terms set forth in the Transfer Agreement and the JOA. Additionally, the County will be solely responsible for operation of County Auto Park 67B.

- On the title transfer date, the County will assign to the Council and the Council will assume from the County, two existing leases in the Building. The leases are: a) parking lease with the City of Long Beach for 162 parking spaces in Auto Park 67A; and b) lease with the Los Angeles County Law Library for approximately 2,353 square feet of space on the 5th floor of the Building. The Council will assume the leases pursuant to Assignment and Assumption of Occupancy Agreements that are exhibits to the Transfer Agreement.
- The Parties acknowledge that certain of the Occupancy Agreements (license agreements) under which an occupant uses space in the Court Exclusive Use Area will not be assigned to the Council. The Parties have agreed to alternate mechanisms for transferring these unassigned occupancy agreements to the Council. By no later than the title transfer date the County will notify the occupants of the termination of their existing license agreements and the Council will enter into new occupancy arrangements with these occupants.
- The Council is not aware of any lawsuits pending concerning the property and the Transfer Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The County adopted a Board of Supervisors' letter on June 19, 2007, approving the transfer of title and responsibility of the Court Facility to the State, and authorizing the Chairman to sign the Transfer Agreement, Quit Claim Deed, and other documents related to the transaction. On February 6, 2008, the County adopted a Board of Supervisors' letter authorizing the Chair of the Board to execute the "Agreement for Compensation for Equity Interest" transferring the County's equity interest in the Courthouse to the State for a payment of \$5,889,000.
- The Transfer 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 and Phase II Environmental Site Assessments, it does not appear that there are any environmental conditions that would pose exceptional risk to the State.
- The AOC anticipates the New Long Beach Courthouse (Replacement Courthouse) to be designed, built, financed and operated by a third party developer (Developer). If the Replacement Courthouse is constructed in this manner, the Council and the AOC shall require that the Developer design the Courthouse to include office space at least equivalent in functionality and square footage to the existing County Exclusive Use Area to be available for County occupancy. If the Replacement Courthouse is owned or financed by one or more State Parties, then the Council and AOC will ensure that the Courthouse is designed to include replacement space equivalent in functionality and square footage to the existing County Exclusive Use Area to be available for County occupancy.

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

CONSENT ITEM

CONSENT ITEM 2

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
SAN BENITO COUNTY, NEW HOLLISTER COURTHOUSE
DOWNTOWN & AIRPORT SITES**
JCC Parcel Number 35-C1;

Authority: Chapter 171/172, Budget Act of 2007, Item 0250-301-3037(5.5)

Authorize site selection

CONSENT ITEM

STAFF ANALYSIS - ITEM 2

Judicial Council of California
San Benito County, New Hollister Courthouse, Downtown & Airport Sites

Action requested

The requested action will authorize site selection.

Scope Description

This project is within scope. The project provides for the site acquisition of land required for the construction of a new three courtroom courthouse with secure parking for judicial officers and staff, and surface parking in the city of Hollister, San Benito County. This action will authorize site selection of two sites under consideration by the Judicial Council of California (JCC) for this project; however, only one site will be considered for acquisition. Both sites considered for the future location of the new Hollister Courthouse facility were selected on the basis of its conformance to guidelines established by legislation and requirements of the JCC in terms of size, location, accessibility and costs. Site selection approval of both sites provides the JCC with a better opportunity to make a more comprehensive and comparative analysis and thus serves to enable the JCC to make a better informed decision on the courthouse's final location.

Site I - Downtown: This site is located in the City of Hollister and is comprised of a single parcel totaling approximately 3.08 acres of land that is presently improved with an abandoned elementary school on a portion of the site. The property is owned by the Redevelopment Agency of the City of Hollister. The Redevelopment Agency is in the process of having the building demolished at their sole cost and will subsequently transfer title of the vacant site to the County of San Benito.

Site II – Airport: This site is in proximity to the City of Hollister's airport and is comprised of a single parcel totaling approximately 4.20 acres of land located within a larger 21.22 acre parcel owned by the County of San Benito.

Funding and Cost Verification

This project is within cost. Chapter 171/172, Budget Act of 2007-08, Item 0250-301-3037(5.5) 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

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, 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

The project schedule is as follows:

The anticipated close of escrow is July, 2008.

Condition of Properties

On Monday, February 11, 2008, the Department of General Services - Environmental Services Section staff conducted a condition of property visit on two sites in San Benito County.

The first site visited is a 4.2 acre site known as the Airport or Flynn Road site. Prior to the site visit, a Phase 1 Environmental Site Assessment was reviewed dated January 2, 2008, prepared by Tetra Tech, Inc. The site is located about one mile northwest of the City of Hollister. It is a 4.2 acre parcel within a 21.22 acre parcel owned by San Benito County which has historically been used for agriculture. No environmental hazards or conditions were observed during the site visit. The property appears compatible with its intended use.

The second site visited is on a 3.08 acres site known as the West Street property (Downtown site) for the future San Benito County Courthouse. Prior to the visit, a Phase 1 Environmental Site Assessment, dated January 3, 2008, prepared by Tetra Tech, Inc. was reviewed. The site is located in downtown Hollister California, and is the location of a former elementary school. The site contains a school building, portable buildings, and a school playground. Since the building is over 50 years old and is considered historical, consultation must take place with the State Historic Preservation Office before demolition. Protocols must be followed during the demolition process that recognizes the presence of lead paint and ACMS. No other environmental hazards were observed during the visit. The property appears compatible with its intended use.

Other:

- The proposed sites meet the size, location, and compatibility requirements of the JCC.

- The properties are vacant and unimproved.
- There is no relocation assistance involved with this project.
- The purchase price will not exceed the estimated fair market value as determined by a DGS approved appraisal.
- The Office of Court Construction and Management staff received approval by the Administrative Director of the Courts on January 16, 2008 as delegated by the Judicial Council in it's "Site Selection and Acquisition Policy", dated June 29, 2007.
- DGS Environmental Services staff have toured both properties and reported no due diligence issues that would prevent the site selection of the properties.
- There is no implied dedication involved with this project.

Staff Recommendation: Authorize site selection.

CONSENT ITEM

CONSENT ITEM 3

JUDICIAL COUNCIL OF CALIFORNIA (0250)
CALAVERAS COUNTY, NEW SAN ANDREAS COURTHOUSE
JCC Parcel Number 5-C1

Authority: Chapters 171 and 172, Budget Act of 2007, Item 0250-301-303(0.5)

Authorize site selection

CONSENT ITEM

STAFF ANALYSIS - ITEM 3

Judicial Council of California
Calaveras County, New San Andreas Courthouse

Action requested

The requested action will authorize site selection.

Scope Description

This project is within scope. This request will authorize the site selection of land needed to construct a new four-courtroom courthouse with secure parking for judicial officers and staff to include surface parking in the City of San Andreas, Calaveras County. The site being considered is located in the City of San Andreas and is part of two adjacent unimproved parcels totaling approximately 6.5 acres situated in the County of Calaveras' Government Center.

Funding and Cost Verification

This project is within cost. Chapters 171 and 172, Budget Act of 2007, Item 0250-301-3037 (0.5) provides \$845,000 in funding for land acquisition. This property 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

The project schedule is as follows:

The anticipated close of escrow is July 31, 2008.

Condition of Properties

Department of General Services Environmental Services Staff (ESS) conducted a field inspection of assessor parcel number 044-012-007 (approximately 6.5 acres) located in San Andreas, Calaveras County, on February 1, 2008. A Phase I Environmental Site Assessment (ESA) was completed on January 3, 2008 and reviewed by DGS-ESS staff. The ESA was found to be in accordance with the American Society for Testing and Materials (ASTM) Practice E1527-05 (Earth Tech, Sacramento, CA).

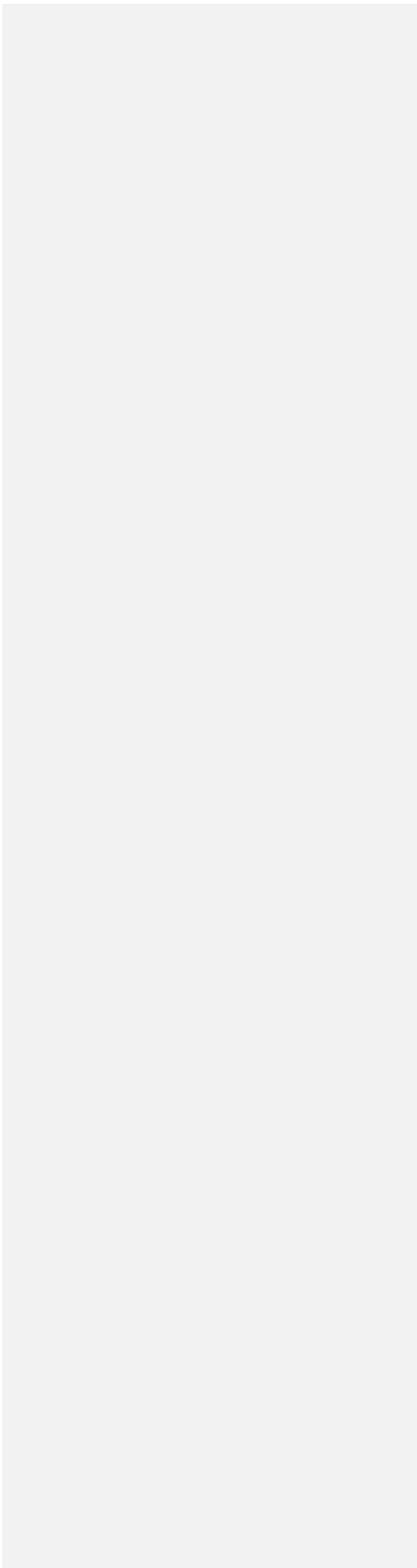
The property is vacant and undeveloped. The proposed use of the site to build a future Judicial Council of California (JCC), Administrative Office of the Courts (AOC) is compatible with the designated land use. As noted in the ESA, there are soil and debris piles and remnants of an old building foundation. The ESA recommended that the liability associated with the soil and debris piles be considered and removed prior to property transfer because they are of unknown origin. The ESA also recommended that the potential for an Underground Storage Tank (UST) also be investigated. ESS staff agrees with these recommendations.

The ESA identified no known Recognized Environmental Concerns as per the guideline and definitions of the ASTM Standard; however, the environmental concerns described and documented in the ESA are noteworthy and still remain on the site. ESS staff concurs that the site is compatible with the intended future use of the site and with the ESA findings.

Other:

- The proposed site meets the size, location, and compatibility requirements of the JCC.
- There is no relocation assistance involved with this project.
- The purchase price will not exceed the estimated fair market value as determined by a DGS approved appraisal. The County of Calaveras, the current owner of the site is agreeable to exchanging the property for the AOC's equity in an existing court facility located in a county owned legal building.
- The Office of Court Construction and Management staff received approval by the Administrative Director of the Courts on February 15, 2008 as delegated by the JCC in its "Site Selection and Acquisition Policy", dated June 29, 2007.
- The site will be deeded to the State by the County of Calaveras in exchange for the AOC's equity in the existing court facility located in the Legal Building.
- There is no implied dedication involved with this project.

Staff Recommendation: Authorize site selection.



CONSENT ITEM

CONSENT ITEM 4

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
DELTA MEADOWS, LOCKE BOARDING HOUSE
LOCKE MANAGEMENT ASSOCIATION
SACRAMENTO COUNTY
DGS Parcel Number 10512, DPR Parcel Number 014561

Authority: Chapter 157/03, Item 3790-301-6029(10)

Authorize acquisition of an interest in real property through the acceptance of a gift

CONSENT ITEM

STAFF ANALYSIS – ITEM 4

Department of General Services
Department of Parks and Recreation
Delta Meadows – Locke Boarding House
Locke Management Association

Action requested

The requested action will authorize acquisition of real property through the acceptance of a gift consistent with the staff analysis.

Scope Description

This project is within scope. This request will authorize the Department of Parks and Recreation (DPR) to accept a gift acquisition for an easement of approximately .053 acres for the installation and maintenance of a heating and cooling facility for the benefit of the Locke Boarding House.

The Public Resources Code, Section 5005 allows the DPR to receive and accept in the name of the people of the State any gift, dedication, devise, grant, or other conveyance of title to or any interest in real property, including water rights, roads, trails, and rights-of-way, to be added to or used in connection with the State Park System. It may receive and accept gifts, donations, contributions, or bequests of money to be used in acquiring title to or any interest in real property, or in improving it as a part of or in connection with the State Park System, or to be used for any of the purposes for which the department is created. It may also receive and accept personal property for any purpose connected with the State Park System.

In April 2005, DPR acquired the Locke Boarding House from Locke Property Development, Inc. The Boarding House is currently undergoing rehabilitation and requires the construction of a geothermal heating and cooling system for the purposes of providing more energy efficient

heating and cooling. The Locke Management Association owns the Locke Common Ground parcel adjacent to the Boarding House and will gift an easement to State Parks for the purposes of construction, operation and maintenance of the heating and cooling system, landscaping and ingress and egress to the rear entry of the Locke Boarding House.

The town of Locke represents great historical and cultural significance to the State. Locke was founded in 1915 after a fire broke out in the Chinese section of nearby Walnut Grove. The Chinese who lived in the area decided that it was time to establish a town of their own. A committee of Chinese merchants, led by Lee Bing, was formed to approach land owner George Locke and inquire if they could build on his land. An agreement was reached and Chinese architects laid out the town and industrious building ensued. The Chinese who established Locke built a residential district, as well as a commercial district that included the Star Theatre, boarding houses, a hotel, grocery stores, gambling houses, restaurants and bars.

In the 1970's, the entire town was sold by George Locke's heirs to Mr. Clarence Chu of Locke Property Development, Inc. In May 2001, the Sacramento County Board of Supervisors gave the Sacramento Housing and Redevelopment Agency the approval to acquire the land under the town of Locke and to appoint a seventeen member Citizens Advisory Committee (CAC) to oversee the development of a community plan for the town. The CAC was comprised of individuals representing Chinese American groups, Locke building owners (both business and residential), historic preservationists, California State Parks, Sacramento County, Sacramento Housing and Redevelopment Agency, and one member-at-large. The CAC comprises the Locke Management Association, which is charged with addressing town management issues.

Funding and Cost Verification

This project is within cost. Chapter 157/03, Item 3790-301-6029(10), as re-appropriated by Chapter 47/06, Item 3790-491-6029(10) will cover overhead costs for this acquisition.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 18, 2008, and the statute of limitations expired on February 22, 2008.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is April 30, 2008.

Condition of Property

On January 17, 2008, staff from the Department of General Services (DGS), Real Estate Services Division, Professional Services Branch, Environmental Services Section (PSB/ESS) conducted a site visit of the Delta Meadows, Locke Boarding House Easement. The proposed project consists of less than ½ acre and will grant the Department of Parks and Recreation an easement to allow improvements to the Locke Boarding House. In April 2005, State Parks acquired the Locke Boarding House from Locke Property Development, Inc. Plans are under way to use grant money to convert the boarding house into a museum. Locke Management Association owns the Locke Common Ground parcel adjacent to the Boarding House and will gift an easement to State Parks for the purposes of construction, operation and maintenance of the heating and cooling system, landscaping and ingress and egress to the rear entry of the Locke Boarding House.

The Boarding House is within the Locke Historic District, bounded on the west by the Sacramento River, on the north by Locke Rd., on the east by Alley St., and on the south by Levee St. The district was added to the National Register of Historic Places on May 6, 1971. In addition, it was designated a National Historic Landmark on December 14, 1990.

Because the building is more than 50 years old and within a designated Historic District and is a National Historic Landmark, the Department of Parks and Recreation consulted with the California State Historical Preservation Officer (SHPO) for concurrence of no adverse affect on a historic property in regards to the proposed activities. The proposed improvements to the building were reviewed by SHPO and received their concurrence that the proposed approach would not significantly affect a historical resource.

Other:

- There is no relocation assistance involved with this project.
- There is no implied dedication applicable to this property.
- The DPR is not aware of any lawsuits pending concerning the property.
- The property will be free and clear of any mortgages or liens.
- This acquisition will provide for the operation and maintenance of a historical building.
- The 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 gift acceptance.

CONSENT ITEM

CONSENT ITEM 5

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
PFEIFFER BIG SUR STATE PARK – POST CREEK (formerly known as VENTANA INN /
SAVE THE REDWOODS LEAGUE)
MONTEREY COUNTY
DPR Parcel No. 013471; DGS Parcel No. 10506 / AR DPR 557

*Authority: Chapter 157/03, 3790-301-6029(10), as re-appropriated by Chapter 47/06,
3790-491-6029(10)*

Authorize acquisition

CONSENT ITEM

STAFF ANALYSIS – ITEM 5

Department of General Services
Department of Parks and Recreation

Pfeiffer Big Sur State Park – Post Creek (formerly known as Ventana Inn – Save The Redwoods
League)

Action requested

The requested action will authorize acquisition.

Scope Description

This project is within scope. This request will authorize Department of Parks and Recreation (DPR) to accept approximately 72.65 acres of land as an addition to Pfeiffer Big Sur State Park. This acquisition helps DPR fulfill two important missions: preserving California's unique natural resource areas and acquiring in-holdings and adjacent parcels when they become available. In addition, this transfer will further protect Post Creek and the viewshed of Highway One and will also contribute to the long-term preservation of sustainable redwood forest ecosystems. Further, the fact that DPR is able to acquire this land at less than the fair market value and in which support implications for this project are minimal also make this a highly desirable acquisition.

Funding and Cost Verification

This project is within cost. Chapter 157/03, 3790-301-6029(10), as re-appropriated by Chapter 47/06, 3790-491-6029(10) provides the funding for this acquisition and 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 December 5, 2007, and the 35-day statute of limitations period expired on January 9, 2008.

Project Schedule

The project schedule is as follows: The anticipated close of escrow is March 2008.

Condition of Property

On October 3, 2007, Department of General Services, Environmental Services Section staff conducted a site visit to the Pfeiffer Big Sur State Park – Post Creek property, Monterey County assessor parcel number 419-311-021. The 72.65 acre parcel is located along Highway One across from the Big Sur town center. Pfeiffer Big Sur State Park is directly north of this parcel. The property is undeveloped with the exception of one road and a water system that is reserved for the exclusive use of a prior owner that has adjoining property. Vegetation consists largely of mature second growth redwood forest. Post Creek, a tributary to the Big Sur River, runs through the property.

A Phase 1 Environmental Site Assessment is not recommended due to the undeveloped nature of the parcel. It is recommended that prior to transfer of ownership, security fencing be installed around the water tank and water valves, exposed PVC pipe, and the electrical service panel next to the tank, and the exposed PVC pipe along the surface should be covered with soil. Locks should also be attached to the spring boxes.

Andy Ruppenstein 3/3/08 2:24 PM
Comment [1]: Lotsa development for an undeveloped parcel

Other

- The property has Post Creek, a tributary to the Big Sur River, running through the length of the property. This property was acquired by Save The Redwoods League (SRL) in 2004. SRL, with financial assistance from the California Department of Fish and Game and Resources Legacy Fund Foundation, reconstructed two stream crossings to withstand 100-year storms and to make them more fish-friendly, and re-engineered 1,920 feet of forest road to prevent erosion from negatively impacting Post Creek.
- The property will be subject to an easement reservation by SRL to construct and install, if at all, within five years of the property's acquisition, a recycling center drop station on approximately 0.03 acres of land along State Highway One. The responsibility for maintenance will remain with SRL, or its assignee, and should the recycling center not be constructed within five years, the easement will terminate and be quitclaimed back to the State. This easement will not negatively impact DPR's proposed use of the property.
- A 2,400 foot long dirt road which leads from State Highway One, bisects the property and leads to the water system reserved by a prior owner whose successor in interest, WTCC Ventana Investors V, L.L.C., owns the adjoining Ventana Inn property and has access to the water and water system from this road. An approximately 40 foot length of the road overlaps with a portion of the SRL recycling center easement reservation. DPR does not believe that a Road Maintenance Agreement is necessary because (1) some \$70,000 of road maintenance and structural improvements were recently made by SRL to the property such that it should be in good repair for some time; (2) DPR's use of the road will be limited to administrative and emergency access purposes only; and (3) the condition of the road will be of greater importance to WTCC Ventana Investors V, L.L.C. because its use and access to the water system are subject to Monterey County Health Department and Regional Water

Andy Ruppenstein 3/3/08 2:24 PM
Comment [2]: Red flag. Possible liability issues with the recycling center?

Andy Ruppenstein 3/3/08 2:24 PM
Comment [3]: Red flag. Wouldn't an agreement possibly be in the state's interest, thus limiting costs? Or?

Quality Control Board requirements, such that it will have a strong interest in seeing that the road is maintained for its access. Should repairs be necessary, the DPR District is prepared to do maintenance needed for it to use the road for its access.

- The property is subject to a deed restriction that restricts the development to one single family residence, no more than 10 wilderness campsites, and one recycling drop off station (mentioned above), and subject to a water agreement in which the owner that sold the property to SRL, retained all rights, title and interest a water system that obtains water from a shallow spring well on the property but which is for the exclusive use of the Ventana Inn, which operates the adjoining parcel retained by it. The property's valuation contemplated these restrictions and DPR will have the ability to drill its own well as long as it does not affect the prior owner's present or future water use.
- The property is subject to an Amendment to Partnership Grant Deed and Water Agreement and Quitclaim (Amendment). The Amendment attempts to clarify and specify specific locations for the easement holder's (WTCC Ventana Investors V, L.L.C.) water extraction facilities, water pipelines and access which, prior to the Amendment, blanketed the entire parcel. While an aim of the Amendment is clarification and to specify specific locations, the Amendment also states the easement holder rights "shall not be diminished in any way by the amendments..." which is contradictory to the surveyed descriptions which narrow the facility, pipelines, and access locations from the previous general descriptions blanketing the entire parcel. This contradiction, coupled together with the inconsistent reference to non-exclusive easements, may lead to ambiguities in the interpretation of the easement holder's rights.

DPR recognizes the potential ambiguity and believes the original Water Agreement and Grant Deed are sufficiently clear. All easements were to be non-exclusive and the Amendment stating the easement holders rights "shall not be diminished" is not intended to reserve the same general easement description rights that the parties are amending. In the worst case, the easement holder would have no greater rights than what it possessed under the original Water Agreement and Grant Deed which are non-exclusive easements not specifically defined by a surveyed description. DPR is prepared to accept the property subject to the Amendment in its current form.

- The purchase price will not exceed estimated fair market value as determined by a DGS approved appraisal.
- SRL is offering the property to DPR for 38.5 percent of the fair market value, as approved by DGS. This transfer to the State at a 61.5 percent reduction from the current market value of the property will be with the condition that DPR and SRL enter into a use restriction agreement that requires the state to use the property for state park purposes only until and unless the property is declared surplus to the state's needs or the PWB recommends that a transfer to another state agency is necessary for a higher and better public purpose. In either event, the property can be removed from the terms of the SRL use agreement upon payment of 61.5 percent of the market value of the property, excluding the value of any State improvements.
- The property is vacant and unimproved (aside from one road and water system that is reserved for the exclusive use of a prior owner).
- The Property Acquisition Agreement 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. As such, the risk associated with acquiring this property 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.
- There is no implied dedication applicable to this property with the exception of a pedestrian trail which was a condition imposed by the Costal Commission and contemplated as part of the DGS-approved appraisal.

Andy Ruppenstein 3/3/08 2:24 PM

Comment [4]: This whole bullet needs surgery.

- There is no relocation assistance involved with this project.
- DPR 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.

Staff Recommendation: Authorize acquisition.

CONSENT ITEM

CONSENT ITEM 6

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
MONTGOMERY WOODS STATE RESERVE, SINGLEY RANCH
MENDOCINO COUNTY

DGS Parcel Number: 10519, DPR Parcel Number: 014562

Authority: Chapter 157/03, Item 3790-301-6029(10)

Authorize acquisition of real property through the acceptance of a no-cost acquisition

CONSENT ITEM

STAFF ANALYSIS – ITEM 6

Department of General Services
Department of Parks and Recreation
Montgomery Woods State Reserve, Singley Ranch

Action requested

The requested action will authorize acquisition of real property through the acceptance of a no-cost acquisition.

Scope Description

This project is within scope. This request will authorize the Department of Parks and Recreation (DPR) to accept a no-cost acquisition of three parcels totaling approximately 160 acres as an addition to Montgomery Woods State Reserve.

The Public Resources Code, Section 5005 allows the DPR to receive and accept in the name of the people of the State any gift, dedication, devise, grant, or other conveyance of title to or any interest in real property, including water rights, roads, trails, and rights-of-way, to be added to or used in connection with the State Park System. It may receive and accept gifts, donations, contributions, or bequests of money to be used in acquiring title to or any interest in real property, or in improving it as a part of or in connection with the State Park System, or to be used for any of the purposes for which the department is created.

The Singley Ranch property lies to the north and east of the Montgomery Woods State Reserve. This acquisition will improve public access, as the main roads and trails providing access to the lands acquired go through Singley Ranch property. The property would also augment protection of the upper reaches of the Big River watershed and of the old growth redwoods in the Reserve downstream. The property contains a grove of redwoods along an unnamed stream that flows into the Big River and serves to protect the linkages between these old-forest stand redwoods and Douglas fir in the Reserve. It also protects the adjacent Bureau of Land

Management Late Seral Reserve and the private ranch lands protected through a conservation easement. Furthermore, the property will secure watershed protection and restoration opportunities for the South Fork Big River and one of its salmonid-bearing tributaries containing coho and steelhead salmon by serving as a designated refuge stream.

Funding and Cost Verification

This project is within cost. Chapter 157/03, Item 3790-301-6029(10), as re-appropriated by Chapter 47/06, Item 3790-491(2)(10) will cover overhead costs for this acquisition. The purchase of the property will be accomplished through grant funding from the Resources Legacy Fund Foundation and the Wildlife Conservation Board provided to the Save-the-Redwoods League.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 17, 2008 and the 35-day statute of limitations expired on February 21, 2008.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is March 2008.

Condition of Property

On October 10, 2007, staff from the Department of General Services (DGS), Real Estate Services Division, Professional Services Branch, Environmental Services Section (PSB/ESS) conducted a site visit of the Singley Ranch, Inc. property. The property is characterized by grasslands, oak woodlands and conifer forests. The site has no history of being developed, although there is evidence of historic logging and range livestock grazing. Intermittent and perennial streams are situated within the site boundaries. The acquisition is a logical purchase as the watershed area of the adjacent State Reserve is extended by the streams and will protect the natural drainage and vegetation in the area.

Debris, scrap cable and debris from past logging operations was noted near and in the bank of the creek. To the extent feasible, the exposed logging cables and debris should be removed, with minimal disturbance to the creek. No recognized environmental conditions that could pose an environmental threat to the site were identified.

Other:

- There is no relocation assistance or implied dedication applicable to this project.
- Access rights to the property will be deeded to the State as a non-exclusive easement for administrative access over the property. The restricted access to the property will be via private roads with no direct public access from public roads.
- The non-profit organization Save-the-Redwoods League (SRL) will cause the property to be directly transferred to State Parks without SRL being in the chain of title.
- SRL received a grant (\$250,000) from the Resources Legacy Fund Foundation (RLFF) and is scheduled to receive (\$246,000) grant funds from Wildlife Conservation Board (WCB) in February 2008. Should the WCB decline this contribution, the SRL will pay the remaining \$246,000 to cover the purchase price.
- The RLFF grant funds are to be used for the permanent protection of natural resources and specifies that no structure, road or other human improvement will be placed on the property consistent with the overriding purposes of preserving the property's natural resources. WCB grant funds are to be used for the purposes of acquisition and protection of habitat that promotes the recovery of threatened and endangered species, protects significant natural landscapes and ecosystems as may be consistent with wildlife habitat preservation and

Andy Ruppenstein 2/26/08 1:34 PM

Comment [5]: WCB meets on 2/20, so after then should edit this sentence to reflect whatever action was taken.

protection of sensitive biological resources. DPR will assume the obligations imposed by both of the Grant Agreements (Agreements).

- DPR will record concurrently with close of escrow, a Notice of Unrecorded Grant Agreement giving public notice that grant funds assisted in acquiring the property and that DPR agrees to the terms of the Agreement. This agreement specifies that the property:
 - is to be held and used for purposes of the acquisition and protection of habitat;
 - shall not be sold, transferred, exchanged or conveyed without the written approval of the WCB or its successor;
 - may not be used as security for any debt without the written approval of the State, acting through the WCB or its successor.
- SRL is offering this property to the State at no-cost with the condition that a use restriction agreement be recorded requiring the State to use the property for state park purposes. The Agreement provides for the use restriction to be lifted if either of two actions occur: (1) The Legislature makes a finding that all or part of the property is in excess of the State's foreseeable needs and therefore, authorizes the sale of the property; or (2) The PWB recommends that a transfer of the property to another State agency is necessary for a higher and better public purpose. If the use restriction is removed in either of these events, DPR will be required to pay 50.4 percent of the RLFF grant contribution of the contemporaneous current market value of the property to SRL, or 50.4 percent of the pro rata value of the portion thereof that is designated for alternative use at the time, excluding the value of any State improvements.
- DPR is not aware of any lawsuits pending concerning 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 PSB-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 contains provisions and restrictions pursuant to the California Land Conservation Act of 1965 and to Government Code Section 51291. Notification of State's intent to purchase this property was sent to the Department of Conservation on January 3, 2008.
- The DPR will provide patrol with existing staff to this property. Although the DPR will be required to participate in fair share costs attributed to the maintenance of an existing road, it is anticipated that this operating expense will be minimal and can be absorbed with existing resources.
- Any changes to public access, use, development, resources or habitat protection will be addressed through the normal budget process.

Staff Recommendation: Authorize acceptance of a no-cost acquisition.

Andy Ruppenstein 2/26/08 1:34 PM

Comment [6]: Question sent to DPR on whether we have an appraisal.

Andy Ruppenstein 2/26/08 1:34 PM

Comment [7]: Questions sent to DPR concerning this.

CONSENT ITEM

CONSENT ITEM 7

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
BUTANO STATE PARK – SAVE-THE-REDWOODS LEAGUE (HOUCK)
SAN MATEO COUNTY
DPR Parcel No. 014673, DGS Parcel No. 10513

Authority: *Public Resources Code 5005*
Chapter 157/03, Item 3790-301-6029(10)

Authorize acquisition of real property through the acceptance of a no cost acquisition

CONSENT ITEM

STAFF ANALYSIS – ITEM 7

Department of General Services
Department of Parks and Recreation
Butano State Park – Save the Redwoods League (Houck)

Action requested

The requested action will authorize acquisition of real property through the acceptance of a no cost acquisition.

Scope Description

This project is within scope. This request will authorize Department of Parks and Recreation (DPR) to acquire approximately 100 acres of land at no cost for purposes of ensuring permanent protection of watershed and forest land and provide the opportunity to expand the Butano State Park. The property is adjacent to Butano State Park on two sides and touches the southwestern corner of the Girl Scout Creek property, which was transferred by Save-the-Redwoods League (SRL) to DPR on March 22, 2006.

The Public Resources Code, Section 5005 allows the DPR to receive and accept in the name of the people of the State any gift, dedication, devise, grant, or other conveyance of title to or any interest in real property, including water rights, roads, trails, and rights-of-way, to be added to or used in connection with the State Park System. It may receive and accept gifts, donations, contributions, or bequests of money to be used in acquiring title to or any interest in real property, or in improving it as a part of or in connection with the State Park System, or to be used for any of the purposes for which the department is created. It may also receive and accept personal property for any purpose connected with the State Park System.

Funding and Cost Verification

This project is within cost. Chapter 157/03, Item 3790-301-6029(10), as re-appropriated by Chapter 47/06, Item 3790-491-6029(2)(10), provides a total of \$35,000,000 for the acquisition of high priority parcels of land. The balance of the appropriation is sufficient for overhead costs (e.g., title and escrow fees and Department of General Services (DGS) staff time to conduct due diligence) of the subject property 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

On December 13, 2007, Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a property inspection of an approximately 100-acre parcel, San Mateo County assessor parcel number 080-120-090. State Park property is located to the south and east of the subject property. A camp owned by the San Francisco Bay Girl Council is located to the north of the property. Access is off a paved road and there is a cable attached to trees that prohibits vehicle access. No Trespassing signs are posted. There are hiking trails and old logging roads through the property. A small pond is located near the northwest corner of the property. Vegetation consists of redwood and tanoak trees and fern understory.

A Phase 1 Environmental Site Assessment was completed in December, 2006 in general conformance with the scope and limitations of the ASTM Standard Practice E1527-05, *Standard Practice for Environmental Site Assessments: Phase 1 Environmental Site Assessment Process* for the 100-acre parcel and an adjoining 60 acres retained by the previous property owners. The Phase 1 report indicated no recognized environmental conditions at the site.

Other

- The property, which contains a significant number of residual ancient redwoods, saddles the ridge that is directly upslope from Butano State Park and provides watershed protection for the redwoods of both Butano Creek and Little Butano Creek, which are tributaries to the Pescadero Creek watershed system. The property is also adjacent to the designated Marbled Murrelet habitat and within the core Murrelet activity area for the Santa Cruz Mountains. Murrelets are seabirds that are federally listed as threatened, and which rely on the dense structure and protection of the ancient redwood forest for nesting.
- The non-profit organization SRL will offer this property at no cost to the state with the condition that DPR and SRL enter into a Use Restriction Agreement that requires the state to use the property for state park purposes only until and unless the property is declared surplus to the state's needs, or until the PWB recommends that a transfer to another state agency is necessary for a higher and better public purpose. In either event, the property can be removed from the terms of the SRL Use Restriction Agreement upon payment of 100 percent of the market value of the property, excluding the value of any State improvements.
- This parcel is the result of a lot line adjustment by the prior owner and this transfer is subject to a recorded Regulatory Agreement and Declaration of Restrictive Covenants (Agreement) between the owner and the County of San Mateo, which, among other things, refers to the lot line adjustment and the desire to establish a joint management of timber harvesting operations at the properties. Under this Agreement, the owner and County agree that the two properties will be restricted and managed with a Joint Timber Management Plan until

Andy Ruppenstein 2/26/08 1:50 PM

Comment [8]: Checking to see if property or properties

June 2037, with the overall goal being to correct past forest land abuses and to increase the vitality through small but periodic timber harvests. DPR as a successor to the Agreement will not actively pursue an ongoing commercial harvest program but it is possible in the future, where advisable and consistent with good management, that it may do some periodic small harvests or engage other forest management practices such as controlled burning to thin some overgrowth in order to allow for a more orderly growth and maintenance of these forest lands. However, this agreement will not impact DPR's use of the property as a state park and any maintenance will be done with the existing District budget.

- The Property Acquisition Agreement does not include the State's standard indemnification language; however, environmental surveys of this property have not identified 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 this property 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 is vacant and unimproved (aside from roads). There is no relocation assistance involved with this project.
- The DPR 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 DPR can provide minimal patrol with existing staff to the property. The acquisition will require little operating expense and can be absorbed with existing resources for the continued operation. 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.

Staff Recommendation: Authorize acquisition of real property through the acceptance of a no-cost acquisition.

CONSENT ITEM

CONSENT ITEM 8

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

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

Authorize acquisition

CONSENT ITEM

STAFF ANALYSIS – ITEM 8

Department of General Services
Department of Parks and Recreation
Marshall Gold Discovery State Historic Park, Lefevre Acquisition
El Dorado County

Action requested

The requested action will authorize acquisition.

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 Quality and Supply, Flood Control, River and Coastal Protection, without specifying particular parcels. This request will authorize site selection of fee simple interest of 2.28 acres as an addition to the Marshall Gold Discovery State Historic Park at fair market value.

The 2.28 acre property is currently an inholding 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 lightly vegetated, undeveloped land. 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. This acquisition by the Department of Parks and Recreation (DPR) will prevent any potential development and preserve its historical and cultural value.

Funding and Cost Verification

This project is within cost. Chapter 171/07, 3790-301-6051(3.7), Proposition 84/2006 Bond Fund. 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. The 35-day litigation period 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 on December 27, 2007, a field inspection of the approximately 2-acre property located in El Dorado County. The parcel lies adjacent to and west of Highway 49 in Coloma, California. State Park property is located to the 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' stone foundation. A 6' x 6' rock and wood enclosed abandoned structure is located near a cedar tree and power lines. There is a water spigot near this structure. A 1.5" 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' old wood and tin shed, as well as an old 8' x 8' wooden shed.

Subsequent to this site visit, a State Park Archeologist evaluated the structures identified on the Condition of Property statement. She determined that the rock foundations and the wood and tin structures are historically significant.

Other:

- The property is vacant and unimproved.
- The purchase price shall not exceed the estimated fair market value of the property, as determined by a DGS reviewed appraisal.
- There is no implied dedication on the property.
- The 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.
- The DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement PAA requires delivery of title to the property free and clear of any mortgages or liens.
- There is no relocation assistance involved with this acquisition.
- The property is a 2.28 acre in-holding within the 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.

Staff Recommendation: Authorize acquisition.

CONSENT ITEM

CONSENT ITEM 9

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF DEVELOPMENTAL SERVICES (4300)
SONOMA DEVELOPMENTAL CENTER
SONOMA COUNTY
Project No. DDS 500, DGS Parcel No. 10518

Authority: Chapters 171 and 172/07, Item 4300-003-0001(1)
Government Code 15864

Authorize acquisition on an easement

CONSENT ITEM

STAFF ANALYSIS – ITEM 9

Department of General Services
Department of Developmental Services
Replace Asbury Creek Water Diversion Structure

Action requested

The requested action will authorize acquisition of an easement.

Scope Description

This project is within scope. This request will authorize the site selection and acquisition of an easement to access approximately 0.62 acres of land located along Asbury Creek in Sonoma County. This area is currently unimproved and is located in a remote canyon near Jack London State Park and bordering the Sonoma Developmental Center (SDC).

This action is necessary to secure real property rights for a diversionary dam and water pipeline easement which will allow for the construction and completion of the Asbury Creek Water Diversion Structure Replacement project. This project is necessary for distributing water to the SDC. An existing diversion structure had been operating since 1938, but was destroyed during a storm in January 2006. As no record of any agreement with the adjacent private landowners could be found, the state's ability to access the structure was unclear. This right-of-way easement will allow the state to rebuild the structure and provide ongoing maintenance and operation, thereby ensuring a continuous and uninterrupted supply of water to the SDC.

Funding and Cost Verification

This project is within cost. Chapter 171/2007, Item 4300-003-0001(1), provides \$707,428,000 to the Department of Developmental Services for the operation of five Developmental Centers. Of this amount, \$1,988,000 has been transfer to the Architecture Revolving Fund (ARF) in order to replace the diversion structure. Pursuant to Government Code Section 15864(a), the foregoing support appropriation may be used to cover expenditures incurred in the acquisition process. Total acquisition costs of \$30,000 can be met with funds already transferred into ARF. These costs consist of \$5,000 for the easement, \$24,000 for DGS staff costs (acquisition, appraisal, environmental) and \$1,000 for title and escrow fees.

CEQA

A Notice of Exemption was filed with the State Clearing House on January 30, 2008. The 35-day statute of limitations expired on March 6, 2008.

Project Schedule

The project schedule is as follows: The anticipated close of escrow is June 2008.

Condition of Property

The proposed area of the easement for the north wing of the diversion structure on Asbury Creek has been the subject of numerous field surveys over the past year. The easement is needed to allow construction of a replacement water diversion structure that provides water to Fern Lake, the main water supply for the SDC. The original diversion structure was destroyed in January 2006 by flooding. An easement is necessary because the site includes private property on the north side of Asbury Creek.

The site of the easement consists of a forested hillside above the stream channel that is in a natural condition. The property has no evidence of past development with the exception of a property fence line. The general area surrounding the easement site is also in a natural condition (conifers and oak woodland); there are no industrial uses in the area.

The site poses no long-term liabilities to the state.

Other:

- 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 existing diversionary structure had operated since approximately 1938 on what appears to be a "hand shake" or verbal agreement. No record of any written agreement allowing the state to operate the existing structure could be located by DGS, the Department of Developmental Services, or the Department of Water Resources.
- The diversionary structure is the main source of water for the SDC.
- The property is unoccupied and no relocation assistance is to be involved with this project.

Staff Recommendation: Authorize acquisition.

CONSENT ITEM

CONSENT ITEM 10

DEPARTMENT OF PARKS AND RECREATION (3790)
MACKERRICHER STATE PARK, MENDOCINO COUNTY
Rehabilitate Historic Pudding Creek Trestle

Authority: Chapter 157/03, Item 3790-301-6029(16)
Chapter 208/04, Item 3790-301-6029(5.4)
Chapter 47/06, 3790-301-6029(3.2)

Approve augmentation **\$396,763**
15.8 percent of accumulated total project costs

CONSENT ITEM

STAFF ANALYSIS – ITEM 10

Department of Parks and Recreation
MacKerricher State Park, Mendocino County
Rehabilitate Historic Pudding Creek Trestle

Action requested

The requested action will approve an augmentation for this project.

Scope Description

This project is within scope. This project will rehabilitate the Pudding Creek Trestle at MacKerricher State Park to allow pedestrian and bicycle access to the park's coastal trail from the City of Fort Bragg and Glass Beach. The work includes replacement of trestle abutments, replacement of trestle decking and deck beams, replacement of damaged girders, bentcaps and bracing, and installation of safety railings.

Funding and Cost Verification

This project is not within cost. The Legislature previously appropriated a total project cost of \$4,053,000 for this project, with total construction costs of \$3,818,000. The project remains under construction and is approximately 95 percent complete at this time. The requested augmentation of \$397,000 would bring the total accumulated augmentation of 15.8 percent of total project costs. During construction a portion of the trestle collapsed requiring additional engineering and timber inspection. This substantial change in design required the Contractor to work in the creek bed, which was not within the extent of the existing permits and regulatory agreements. DPR contacted all agencies having jurisdiction over the project to notify them of the change. Consequently, the Department of Fish and Game (DFG) ordered DPR to apply for a 1602 Stream Alteration Agreement and directed DPR that no activities could be performed until the agreement was issued. Several other agencies also required amendment changes to their permits. The DFG order not to work in the creek bed until agreements and amendments were issued forced DPR to issue a Stop Work Notice to the contractor. The Contractor ceased operations for five months while DPR obtained the required agreements and amendments. The resulting 1602 Stream Alteration Agreement significantly increased the project design and construction related work items and mitigation monitoring. The additional requirements and items include significantly altered foundations, daily monitoring of work in the creek bed, additional environmental controls, and extension of safety railings at the trestle. These conditions significantly impacted the project cost, necessitating this request for an additional \$397,000 to complete this project. Approval will allow DPR to finalize construction work by the Public Works Contractor.

On February 22, 2008, 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 augmentation not less than 20 days from the above date.

- \$4,450,000 total estimated project cost
- \$4,053,000 total authorized project cost
- \$ 235,000 project costs previously allocated: preliminary plans \$107,000, working drawings \$128,000
- \$3,818,000 project costs to be allocated: construction \$3,818,000 (\$3,413,000 contract, \$97,000 contingency, \$236,000 A&E costs, \$72,000 agency retained items) at CCCI 4421
- \$ 397,000 Augmentation requested: construction (\$270,000 contract;\$70,000 A&E; \$57,000 ARI)

CEQA

A Notice of Determination was filed with the State Clearinghouse on November 14, 2003 and the waiting period expired on December 15, 2003.

Project Schedule

The project schedule is as follows:

Complete construction: June 2008

Staff Recommendation: Approve augmentation for this project.

CONSENT ITEM

CONSENT ITEM 11

**DEPARTMENT OF DEVELOPMENTAL SERVICES (4300)
PORTERVILLE DEVELOPMENTAL CENTER, NEW MAIN KITCHEN & RENOVATE
SATELLITE SERVING KITCHENS AND DINING ROOMS
PORTERVILLE, TULARE COUNTY**

*Authority: Chapter 47/2006, Item 4300-301-0001(1)
Chapter 47/2006, Item 4300-301-0660(1)
Chapter 171/2007, Item 4300-301-0001(3)*

- a. **Approve preliminary plans**
- b. **Approve augmentation** **\$125,000**
(0.3 percent of total project costs)
- c. **Approve scope change**
- d. **Recognize anticipated deficit** **\$5,694,000**
(13.2 percent of total project costs)
(13.5 percent cumulative)

CONSENT ITEM

STAFF ANALYSIS ITEM – 11

Department of Developmental Services
Porterville Developmental Center, New Main Kitchen & Renovate Satellite Serving Kitchens and
Dining Rooms
Porterville, Tulare County

Action Requested

The requested action will approve preliminary plans, an augmentation to working drawings, a scope change, and will recognize an anticipated deficit.

Scope Description

This project is not within scope. This project will construct a new 29,100 square foot main kitchen, a warehouse, and will renovate 24 satellite kitchens. The central kitchen will include an overhead fire sprinkler system, central heating and air conditioning, a cook/chill food production and delivery system, a central trayline, all new kitchen equipment, a flight type dishwashing machine, and a pot and pan washing machine, large refrigerators and freezers accessible by forklifts, high capacity food storage racks, receiving dock with overhead doors, and an emergency generator. The satellite kitchens/dining rooms upgrades will include air conditioning, cook/chill retherm equipment, new floor and wall finishes, washing sinks, hot and cold food

holding/serving equipment, stainless steel counters and worktables, and electrical upgrades to support new equipment.

The scope change will add a storm water retention pond to capture surrounding site drainage and prevent illegal run-off to adjacent properties in order to comply with regional storm water management requirements.

Funding and Cost Verification

This project is not within cost. Currently authorized project costs total \$43,134,000. This amount consists of \$22,557,000 lease revenue bonds for the new main kitchen component of this project and \$2,577,000 for the design of the renovate satellite kitchens and dining rooms component of this project. An additional \$18,000,000 General Fund is proposed in the 2008 Governor's Budget for the construction phase of the satellite kitchen and dining rooms.

A 0.3 percent augmentation to working drawings totaling \$125,000 (\$65,000 lease revenue and \$60,000 General Fund) is necessary to address increases in hourly rates for project management and a new required cost for Department of Public Health checking. A 13.2 percent anticipated construction deficit totaling \$5,694,000 (\$5,409,000 lease revenue and \$285,000 General Fund) results from the storm water retention pond; additional sitework requirements of the geotechnical report including over-excavation of unsuitable expansive clay soils and replacement with engineered fill, rock excavation and extensive retaining walls; material price increases; and additional oversight requirements and charges.

On February 22, 2008, 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 anticipated deficit not less than 20 days from the above date.

\$43,134,000	total authorized project costs
\$48,953,000	total estimated project costs
\$ 2,313,000	project costs previously allocated: \$2,313,000 preliminary plans
\$40,821,000	project costs to be allocated: \$2,823,000 working drawings and \$37,998,000 construction (\$28,813,000 contract, \$1,702,000 contingency, \$2,706,283 A&E, \$4,063,717 other project costs, \$713,000 agency retained)
\$ 125,000	augmentation: working drawings
\$ 5,694,000	anticipated deficit: construction (\$4,675,000 contract, \$234,000 contingency, \$73,000 A&E, \$556,000 other project costs, \$156,000 agency retained)

CEQA

A Notice of Determination was filed with the State Clearinghouse on December 27, 2007, and the waiting period expired on January 26, 2008.

Real Estate Due Diligence

Due Diligence was completed on December 1, 2007 and no vesting, title, or rights issues were identified.

Project Schedule

The project schedule is as follows:

Approve working drawings:	October 2008
Complete construction:	April 2011

Staff Recommendation: **Approve preliminary plans, an augmentation, a scope change, and recognize an anticipated deficit.**

CONSENT ITEM

CONSENT ITEM 12

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CHUCKAWALLA VALLEY STATE PRISON, WASTEWATER TREATMENT PLANT
IMPROVEMENTS
BLYTHE, RIVERSIDE COUNTY**

*Authority: Chapters 47 and 48/06, Item 5225-301-0001(18)
Chapter 171 and 172/ 07, Item 5225-301-0001(15)*

- a. **Approve preliminary plans**
- b. **Approve augmentation** **\$69,000**
(4.0 percent of total project)

CONSENT ITEM

STAFF ANALYSIS ITEM – 12

Department of Corrections and Rehabilitation
Chuckawalla Valley State Prison, Wastewater Treatment Plant Improvements
Blythe, Riverside County

Action Requested

The requested action will approve preliminary plans and an augmentation for this project.

Scope Description

This project is within scope. This project will design and construct an oxidation ditch at Chuckawalla Valley State Prison (CVSP) wastewater treatment plant capable of handling 2.7 million gallons average daily flow. It will also upsize the existing return activator, sludge/waste activator, sludge pump station, and will rehabilitate the existing secondary clarifiers. The project will pave portions of sludge drying beds, construct a bio-solids storage pad, replace Ironwood State Prison and CVSP influent pump stations, and install variable frequency motor, along with miscellaneous yard piping, and preparation of operations manual for staff.

Funding and Project Cost Verification

This project is not within cost. The initial cost estimate of \$148,000 was based on the Mud-Rotary drilling method. However, the Regional Water Quality Control Board (RWQCB) is requiring water and soil sampling protocols. This sampling cannot be accomplished with the Mud-Rotary drilling methods. Then because of these new requirements, the method and materials needed for installation must be changed to the Air Rotary Casing method of drilling. This will increase overall costs by \$69,000, bringing the new total to \$217,000.

Also, installation of the groundwater monitoring wells was originally included in the preliminary plan phase. At this time preliminary plans are complete and ready for submission to the PWB. However, the RWQCB has not approved the Groundwater Monitoring Well Installation Work Plan. As a result, these wells cannot be installed during the preliminary plan phase as initially planned. Thus, CDCR is requesting the \$148,000 slated for the monitoring wells be transferred from preliminary plans to working drawings. CDCR also requests an augmentation of \$69,000 for working drawings to cover all well drilling costs for this project.

\$27,060,000	total authorized project costs
\$27,129,000	total estimated project costs
\$ 1,729,000	project costs previously allocated: \$1,005,000 preliminary plans, \$724,000 working drawings
\$25,331,000	project costs to be allocated: \$25,331,000 construction (\$20,407,000 contract, \$1,428,000 contingency, \$1,562,000 A&E, \$1,780,000 other project costs, and \$154,000 agency retained)
\$ 0	requested fund shift: -\$148,000 preliminary plans, \$148,000 working drawings
\$ 69,000	requested augmentation: working drawings

CEQA

A Notice of Determination was filed with the State Clearinghouse on December 4, 2007 and the statute of limitations expired on January 3, 2008 without public comment.

Real Estate Due Diligence

It is anticipated that a Summary of Conditions Memo will be completed for this project in July 2008.

Project Schedule

The project schedule is as follows:

Approve preliminary plans:	March 2008
Approve working drawings:	October 2008
Complete construction:	January 2011

Staff Recommendation: Approve preliminary plans and augmentation.

CONSENT ITEM

CONSENT ITEM 13

CALIFORNIA STATE UNIVERSITY (6610)
LOS ANGELES CAMPUS, LOS ANGELES COUNTY
Corporation Yard and Public Safety

Authority: Chapters 47 and 48/2006, Item 6610-301-6041(1)
Chapters 171 and 172/2007, Item 6610-301-6048(4)

- a. Approve design-build performance criteria
- b. Approve augmentation **\$1,542,000**
(9.6 percent of total project)
(9.7 percent of total appropriations)

CONSENT ITEM

STAFF ANALYSIS ITEM – 13

California State University, Los Angeles
Corporation Yard and Public Safety

Action requested

The requested action will approve the design/build performance criteria and provide an augmentation for the build-phase.

Scope Description

The project is within scope.

This project will provide design-build construction funds for a new replacement corporation yard facility of 39,400 assignable square feet (asf)/46,600 gross square feet (gsf) and Public Safety building 12,700 asf/17,000 gsf to replace obsolete facilities designed in the 1950s. The campus parking office will share the public safety building and will provide non-state funds to complete the project. The project will also provide operations and administrative spaces necessary to support campus offices for facilities maintenance, facilities planning and construction, environmental health and safety, and shipping and receiving.

Funding and Project Cost Verification

The project is not within cost. The California State University (CSU) is requesting an augmentation of \$1,542,000 (9.7%) to award the design-build construction contract due to continued escalation of construction costs in the Los Angeles area. The campus evaluated three design-build proposals on December 18, 2007 and determined that the project design with the least cost per unit of quality with no scope reduction would result in a total project cost of \$17,516,200 for the state facilities. The augmentation would provide for the award of the design-build construction contract. The campus parking services will also provide \$54,200 of additional project funding. A 20-day Informational Project Update Letter was sent to the Legislature on February 27, 2008 regarding the change in delivery methods and augmentation.

\$15,920,000 total authorized costs

\$17,516,200 total estimated project cost

\$15,920,000 project costs previously allocated: preliminary plans \$399,000; working drawings \$388,000, construction \$15,133,000 (\$13,170,000 contract, \$658,000 contingency, \$1,305,000 project administration).

\$ 54,200 campus parking funds

\$ 1,542,000 proposed augmentation

\$ 4,548,000 future funding required: equipment -- \$725,000

CEQA

The University certifies that the project is in compliance with the requirements of CEQA. A Categorical Exemption was filed with the State Clearinghouse on May 25, 2007.

Real Estate Due Diligence

CSU, on behalf of the CSU Trustees, is vested with the authority for management of the property for the benefit of the university and acknowledges that they have full responsibility for reviewing and clearing due diligence title issues for general obligation bond funded projects.

Project Schedule

The project schedule is as follows:

Complete preliminary plans: June 2007
Begin Construction: April 2008
End Construction: August 2009

Staff Recommendation: Approve design/build performance criteria and augmentation.

CONSENT ITEM

CONSENT ITEM 14

CALIFORNIA COMMUNITY COLLEGES (6870)
ANTELOPE VALLEY COMMUNITY COLLEGE DISTRICT, HEALTH AND SCIENCE
BUILDING
ANTELOPE VALLEY COLLEGE
LOS ANGELES COUNTY

Authority: Chapters 171 and 172/07, Item 6870-301-6049(3)

Approve preliminary plans.

CONSENT ITEM

STAFF ANALYSIS ITEM – 14

California Community Colleges
Antelope Valley Community College District, Health and Science Building
Antelope Valley College, Los Angeles County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. The authorized project constructs a new 66,041 asf Health and Science Building at Antelope Valley College. The building provides instructional areas for Biological and Physical Sciences as well as Health, Family and Consumer Sciences. Modifications made during the development of preliminary plans changed the overall appearance of the building and enlarged the instructional areas slightly to accommodate access of persons with mobility limitations and to provide adequate clearance for the storage and movement of chemicals. The resultant project is 66,669 total asf with 10,327 asf of lecture, 45,873 asf laboratories, 6,974 asf office, 321 asf technology space and 3,174 asf of meeting rooms and other space.

Funding and Project Cost Verification

This project is within cost. The district will finance the increased construction cost of \$13,028,000 resulting from the modified design.

\$66,376,000	total estimated project costs
\$66,376,000	total authorized project costs
\$ 1,194,000	state project costs previously allocated: preliminary plans
\$38,210,000	state project costs to be allocated: working drawings \$1,576,000; construction \$34,974,000 (\$31,690,000 contracts, \$1,585,000 contingency, and \$1,699,000 administration, testing, and inspection) and equipment \$1,660,000.
\$ 410,000	local funds previously allocated: preliminary plans
\$13,534,000	local funds to be allocated: working drawings \$552,000; construction \$12,390,000 (\$11,036,000 contracts, \$551,000 contingency, and \$803,000 administration) and equipment \$592,000.
\$13,028,000	local funds to be recognized: construction \$13,028,000 (\$12,870,000 contracts and \$158,000 contingency)

CEQA

An Environmental Impact Report (SCH 2005041020) was submitted to the State Clearinghouse July 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

The project schedule is as follows:

Approve preliminary plans:	March 2008
Complete working drawings:	July 2009
Complete construction:	November 2011

Staff Recommendation: Approve preliminary plans.

CONSENT ITEM

CONSENT ITEM 15

**CALIFORNIA COMMUNITY COLLEGES (6870)
LOS RIOS COMMUNITY COLLEGE DISTRICT, LIBRARY EXPANSION
AMERICAN RIVER COLLEGE
SACRAMENTO COUNTY**

Authority: Chapters 171 and 172/07, Item 6870-301-6049(21)

Approve preliminary plans

CONSENT ITEM

STAFF ANALYSIS - ITEM 15

California Community Colleges
Los Rios Community College District, Library Expansion
American River College, Sacramento County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. The authorized project constructs an addition to the existing campus library, adding a total of 7,150 asf comprised of 95 asf lecture, 75 asf office, 6,750 asf library/learning resource and 230 asf AVTV spaces.

Funding and Project Cost Verification

This project is within cost.

\$5,976,000	total estimated project costs
\$5,976,000	total authorized project costs
\$ 44,000	state project costs previously allocated: preliminary plans
\$3,243,000	state project costs to be allocated: working drawings \$40,000; construction \$3,203,000 (\$2,516,000 contracts, \$307,000 contingency, and \$380,000 administration, testing, and inspection)
\$ 260,000	local funds previously allocated: preliminary plans
\$2,429,000	local funds to be allocated: working drawings \$197,000; construction \$1,869,000 (\$1,869,000 contracts) and equipment \$363,000.

CEQA

A Report (SCH2007098161) was submitted to the State Clearinghouse September 17, 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:	March 2008
Complete working drawings:	November 2008
Complete construction:	May 2010

Staff Recommendation: Approve preliminary plans.

ACTION ITEM

NONE

OTHER BUSINESS

NONE

REPORTABLES

To be presented at meeting.