



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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**AGENDA WITH ANALYSIS
STATE PUBLIC WORKS BOARD**

**The STATE PUBLIC WORKS BOARD will meet on
Friday, October 13, 2017 at 10:00 a.m. in Room 112,
State Capitol, Sacramento, California.**

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Patrice Coleman at (916) 445-9694 or e-mail to patrice.coleman@dof.ca.gov, five days prior to the meeting.

STATE PUBLIC WORKS BOARD
Friday, October 13, 2017, at 10:00 a.m. in Room 112
State Capitol, Sacramento, California

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BOND ITEMS

BOND ITEM—1

**BOARD OF STATE AND COMMUNITY CORRECTIONS (5227)
ADULT LOCAL CRIMINAL JUSTICE FACILITIES PROJECT
FRESNO COUNTY**

Authority: Sections 15820.92 – 15820.926 of the Government Code

Consider adopting a resolution to:

- a) **Authorize actions to be taken to provide for interim financing and declare the official intent of the Board to reimburse certain capital expenditures from the Public Buildings Construction Fund from the proceeds of the sale of bonds.**
- b) **Authorize the sale of lease revenue bonds.**
- c) **Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.**

Total Bond Appropriation

\$79,194,000

BOND ITEMS

STAFF ANALYSIS ITEM—1

Board of State and Community Corrections
Adult Local Criminal Justice Facilities Project
Fresno County

Action Requested

If approved, the requested action will adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

Scope Description

This project is within scope. This project includes the design and construction of a new building of approximately 119,000 square feet adjacent to the existing North Annex Jail building on county-owned land. The building has four floors, including a full basement level, and provides housing, program, and administrative space.

The basement level provides warehouse, laundry, administrative, and support space. The first floor provides a lobby; central control; a loading and receiving dock; and video visitation, day reporting, administrative, and program space. The second and third floors provide housing space, including approximately 300 medium and maximum security beds. The two floors also include dayrooms; recreation yards; interview rooms; and medical treatment, program, and support space.

This project also includes upgrades to the central plant and an extension of an underground tunnel that will connect to the existing North Annex Jail building. The project includes but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems.

Funding and Project Cost Verification

This project is within cost. Section 15820.922 of the Government Code appropriates (SB 1022) \$509,060,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice facilities. The initial allocation of this funding to individual counties was administered through the Board of State and Community Corrections (BSCC) through a competitive public process. The BSCC conditionally awarded \$79,194,000 from this appropriation to Fresno County for this project. All acquisition/study and any design and construction costs in addition to this award amount will be paid by the county.

On June 15, 2015, the Board established the scope, cost and schedule of this project, allocating \$79,194,000 of the \$509,060,000 lease revenue bond financing authority appropriated in section 15820.922 of the Government Code to partially finance the construction of this jail project. At the time of establishment, the total estimated project cost was \$87,993,000. On April 25, 2016, the Board approved the preliminary plans with a total estimated project cost of \$88,575,000. Subsequent to these actions, a new project cost estimate was prepared in association with the approval of working drawings and proceed to bid. Based on this revised estimate, the current total estimated project cost is \$96,027,000, which includes a potential deficit in the amount of \$8,034,000.

- \$87,993,000 Total authorized project cost
- \$96,027,000 Total estimated project cost
- \$79,194,000 State funds allocated: \$1,175,000 preliminary plans, \$4,238,000 working drawings, \$73,781,000 construction (\$57,373,000 contract and \$6,284,000 contingency, \$1,830,000 A&E, and \$8,294,000 other project costs)
- \$0 State costs adjustment: decrease of \$36,000 working drawings, increase of \$36,000 construction (increase of \$3,792,000 contract, decrease of \$128,000 contingency, decrease of \$19,000 A&E, and decrease of \$3,609,000 other project costs)
- \$8,799,000 Local funds allocated: \$1,041,000 acquisition, \$1,161,000 preliminary plans, \$373,000 working drawings, \$6,224,000 construction (\$5,472,000 contract and \$752,000 other project costs)
- \$8,034,000 Local costs adjustment: increase of \$3,000 preliminary plans, increase of \$41,000 working drawings, increase of \$7,990,000 construction (increase of \$6,184,000 contract, increase of \$1,126,000 contingency, increase of \$14,000 A&E, an increase of \$666,000 other project costs)

CEQA

A Notice of Determination was filed with the County Clerk on December 22, 2014, and the 30-day statutes of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on June 24, 2016, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	April 2016
Complete working drawings	August 2017
Start construction	January 2018
Construction complete	September 2020

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM—2

**OFFICE OF EMERGENCY SERVICES (0690)
2017 SERIES F, LEASE REVENUE REFUNDING BONDS
LOS ANGELES REGIONAL CRIME LABORATORY**

Authority: Section 15840 of the Government Code

Refunded Bonds, 2007 Series A:

Consider adoption of a resolution to:

- 1. Authorize the sale of the State Public Works Board Lease Revenue Refunding Bonds, 2017 Series F, Los Angeles Regional Crime Laboratory, in accordance with the Board's refunding policy.**
- 2. Approve the form of and authorize the execution of a Supplemental Indenture to the Master Indenture, between the Board and the State Treasurer.**
- 3. Approve the form of and authorize the execution of a First Amendment to Facility Lease between the Board and the Office of Emergency Services (OES).**
- 4. Approve the form of and authorize the execution of a Second Amendment to Ground Lease between the Board of Trustees of the California State University and the Department of General Services.**
- 5. Approve the forms of and authorize the execution of a First Amendment to OES Sublease between OES and the Los Angeles Regional Crime Laboratory Facility Authority.**
- 6. Approve the form of and authorize the execution of an Escrow Agreement between the Board and the State Treasurer.**
- 7. Approve the form of and authorize the execution of a Continuing Disclosure Agreement.**
- 8. Approve the form of and authorize the delivery of a Preliminary Official Statement.**
- 9. Authorize the preparation and delivery of an Official Statement.**
- 10. Approve the form of and authorize the execution of a Purchase Contract.**
- 11. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.**

Current outstanding par amount of the bonds to be refunded, 2007 Series A: \$65,560,000

BOND ITEMS

STAFF ANALYSIS ITEM—2

Office of Emergency Services
2017 Series F, Lease Revenue Refunding Bonds
Los Angeles Regional Crime Laboratory

Action Requested

If approved, the requested action would authorize the sale of the 2017 Series F lease revenue refunding bonds and other related actions in connection with the issuance, sale, and delivery of said revenue bonds.

Description of the Refunding

The 2017F Bonds will provide funds that will be used, together with other lawfully available moneys, (i) to establish an irrevocable escrow to refund and defease all of the State Public Works Board's (Board) outstanding 2007 Series A Bonds and (ii) to pay the costs of issuance of the 2017F Bonds.

The 2017 Series F bonds, which have an estimated par amount of \$65.6 million, will refund the Board's 2007 Series A bonds and achieve an anticipated net present value savings of \$11.2 million and an anticipated savings of 17.2 percent of the refunded bonds. Notwithstanding these anticipated savings, pursuant to the Board's refunding policy, refunding bonds may be issued whether or not the issuance results in overall debt service savings in the event that the Board determines in the resolution authorizing the issuance of the refunding bonds that such refunding will produce benefits to the Board's bond program apart from debt service savings.

Refunded Project:

(0690) Los Angeles Regional Crime Laboratory

The Los Angeles Area Regional Crime Lab is a joint-agency facility that houses the criminal laboratories of the LA County Sheriff's Department, the LA Police Department, and classrooms for the Calif State Univ LA School of Criminal Justice and Criminalistics and the California Forensic Science Institute. The five-story facility was completed in May 2007, and contains approximately 209,000 square feet, with 400 parking spaces. The facility contains lab and forensic science exam space, evidence rooms, classrooms and lecture halls, and accompanying administrative spaces. The facility is located on a six acre parcel on the campus of CSULA. The facility was financed by the SPWB with 2007A bonds totaling approximately \$94 million, and was leased to the Office of Emergency Services. (OES). OES then entered into a sublease with the LA Regional Crime Lab Facility Authority, a joint powers authority established by the City of LA and the County of LA in 2001 to provide for the operation of the Los Angeles Regional Crime Lab Facility. The Crime Lab Facility Authority entered into subleases and operating agreements with state and local agencies and educational institutions for the use, maintenance and operation of portions of the Emergency Services Facility.

Staff Recommendation: Adopt the resolution.

BOND ITEM

BOND ITEM—3

**JUDICIAL BRANCH (0250)
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (8570)
2017 SERIES G, LEASE REVENUE REFUNDING BONDS
VARIOUS PROJECTS**

Authority: Section 15840 of the Government Code

Refunded Bonds, 2007 Series F:
Department of Corrections and Rehabilitation:
California Medical Facility Mental Health Crisis Beds

Refunded Bonds, 2007 Series G:
Judicial Council
Fifth Appellate District Courthouse

Refunded Bonds, 2007 Series H:
California Food and Agriculture
Truckee Agricultural Inspection Station

Consider adoption of a resolution to:

- 1. Authorize the sale of the State Public Works Board Lease Revenue Refunding Bonds, 2017 Series G, in accordance with the Board's refunding policy.**
- 2. Approve the form of and authorize the execution of a Supplemental Indenture to the Master Indenture, between the Board and the State Treasurer.**
- 3. Approve the form of and authorize the execution of a First Amendment to each Facility Lease between the Board and the above named departments.**
- 4. Approve the forms of and authorize the execution of an Escrow Agreement between the Board and the State Treasurer for each series of bond being refunded.**
- 5. Approve the form of and authorize the execution of a Continuing Disclosure Agreement.**
- 6. Approve the form of and authorize the delivery of a Preliminary Official Statement.**
- 7. Authorize the preparation and delivery of an Official Statement.**
- 8. Approve the form of and authorize the execution of a Purchase Contract.**
- 9. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.**

Outstanding par amount of the bonds to be refunded, 2007 Series F, G and H: \$57,830,000

BOND ITEMS

STAFF ANALYSIS ITEM—3

**JUDICIAL BRANCH (0250)
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (8570)
2017 SERIES G, LEASE REVENUE REFUNDING BONDS
VARIOUS PROJECTS**

Action Requested

If approved, the requested action would authorize the sale of the 2017 Series G lease revenue refunding bonds and other related actions in connection with the issuance, sale, and delivery of said revenue bonds,

Description of the Refunding

The 2017G Bonds will provide funds that will be used, together with other lawfully available moneys, (i) to establish an irrevocable escrow to refund and defease all or a portion of the State Public Works Board's (Board) outstanding 2007 Series F, G, and H Bonds and (ii) to pay the costs of issuance of the 2017G Bonds.

The 2017 Series G bonds, which have an estimated par amount of \$57.8 million, will refund the Board's 2007 Series F, G, and H bonds and achieve an anticipated net present value savings of \$10.3 million and an anticipated savings of 17.8 percent of the refunded bonds. Notwithstanding these anticipated savings, pursuant to the Board's refunding policy, refunding bonds may be issued whether or not the issuance results in overall debt service savings in the event that the Board determines in the resolution authorizing the issuance of the refunding bonds that such refunding will produce benefits to the Board's bond program apart from debt service savings.

Refunded Projects:

(0250) Judicial Branch, Fifth Appellate District Courthouse

The Fifth Appellate District Courthouse constitutes the Judicial Council 2017G Refinanced Facility. The Fifth Appellate District Courthouse includes three stories and contains 61,000 square feet. The site is located in the downtown area of Fresno. The courthouse includes an appellate courtroom, chambers for 11 justices, offices for staff, a law library, computer room, secured parking area, and a lobby area designed to properly support security screening of visitors. The Fifth Appellate District Courthouse has been continuously occupied and fully operational since the completion of construction in October 2007.

(5225) Department of Corrections and Rehabilitation, California Medical Facility Mental Health Crisis Beds (Solano County)

The California Medical Facility Mental Health Crisis Beds (the "CMF Facility") constitute the CDCR 2017G Refinanced Facility. The 2017G Refinanced Facility is located at the California Medical Facility ("CMF"), in the city of Vacaville. The CMF Facility is a stand-alone single story building consisting of approximately 45,000 square feet with an occupancy classification for institutional mental hospitals/prisons, which includes office, professional and/or service operations. The CMF Facility provides stabilization of inmate patients in mental health crisis and is licensed by the California Department of Public Health. The CMF Facility has been continuously occupied and fully operational since the completion of construction in May 2008.

The Refunded 2007F Bonds also financed and refinanced the design and construction of a specialized counseling program beds facility at the Southern Youth Correctional Reception Center and Clinic in Norwalk, California (the “Norwalk Facility”). Upon the issuance of the 2017G Refunding Bonds and the simultaneous refunding and defeasance of the Refunded 2007F Bonds, CDCR and the Board will terminate the Norwalk Facility leases, as the Board is being asked to make the determination that the CMF Facility provides sufficient fair rental value to contribute all of CDCR’s portion of the full lease payments due under the 2017G Refunding bonds.

(8570) Department of Food and Agriculture, Truckee Agricultural Inspection Station

The Truckee Agricultural Inspection Station (the “Inspection Station”) constitutes the CDFA 2017G Refinanced Facility. The Inspection Station is an agricultural border station located on Interstate 80 in Truckee, California, and includes a 8,400 square foot vehicle inspection building, a 6,800 square foot truck inspection building, two 14,000 gallon combined domestic and fire water storage tanks, and related infrastructure.

The Inspection Station has been continuously occupied and fully operational since the completion of construction in September 2007.

Staff Recommendation: Adopt the resolution.

BOND ITEM

BOND ITEM—4

**CALIFORNIA DEPARTMENT OF EDUCATION (6100)
STATE SPECIAL SCHOOLS
2017 SERIES H, LEASE REVENUE REFUNDING BONDS
RIVERSIDE CAMPUS PROJECTS**

Authority: Section 15840 of the Government Code

Refunded Bonds, 2009 Series B:

California Department of Education, Riverside School for the Deaf:

Multipurpose Activity Center

Dormitory Building

Chiller Plant

Consider adoption of a resolution to:

- 1. Authorize the sale of the State Public Works Board Lease Revenue Refunding Bonds, 2017 Series H, Riverside Campus Projects, in accordance with the Board's refunding policy.**
- 2. Approve the form of and authorize the execution of a Supplemental Indenture to the Master Indenture, between the Board and the State Treasurer.**
- 3. Approve the form of and authorize the execution of a Second Amendment to Facility Lease between the Board and the California Department of Education.**
- 4. Approve the form of and authorize the execution of an Escrow Agreement between the Board and the State Treasurer.**
- 5. Approve the form of and authorize the execution of a Continuing Disclosure Agreement.**
- 6. Approve the form of and authorize the delivery of a Preliminary Official Statement.**
- 7. Authorize the preparation and delivery of an Official Statement.**
- 8. Approve the form of and authorize the execution of a Purchase Contract.**
- 9. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.**

Current outstanding par amount of the bonds to be refunded, 2009 Series B: \$90,080,000

BOND ITEMS

STAFF ANALYSIS ITEM—4

**CALIFORNIA DEPARTMENT OF EDUCATION (6100)
STATE SPECIAL SCHOOLS
2017 SERIES H, LEASE REVENUE REFUNDING BONDS
RIVERSIDE CAMPUS PROJECT**

Action Requested

If approved, the requested action would authorize the sale of the 2017 Series H lease revenue refunding bonds and other related actions in connection with the issuance, sale, and delivery of said revenue bonds,

Description of the Refunding

The 2017H Bonds will provide funds that will be used, together with other lawfully available moneys, (i) to establish an irrevocable escrow to refund and defease all or a portion of the State Public Works Board's (Board) outstanding 2009 Series B Bonds and (ii) to pay the costs of issuance of the 2017H Bonds. The 2017H Bonds will be designated as a Related Series of Bonds to the Board's Lease Revenue Bonds 2012 Series H that will remain outstanding following the issuance of the 2017H Bonds.

The 2017 Series H bonds, which have an estimated par amount of \$90.1 million, will refund the Board's 2009 Series B bonds and achieve an anticipated net present value savings of \$20.3 million and an anticipated savings of 22.6 percent of the refunded bonds. Notwithstanding these anticipated savings, pursuant to the Board's refunding policy, refunding bonds may be issued whether or not the issuance results in overall debt service savings in the event that the Board determines in the resolution authorizing the issuance of the refunding bonds that such refunding will produce benefits to the Board's bond program apart from debt service savings.

Refunded Project:

(6100) California Department of Education, Riverside Campus Projects

- The Multipurpose Activity Center project includes a 16,700 square foot facility that provides an indoor recreational area for elementary and middle school students. Construction began in April 2008, was completed in April 2010, and occupied in June 2010.
- Dormitory Replacement project includes 11 dormitories, 2 apartment buildings, and 1 special needs apartment building and an office, totaling 130,000 square feet. The project provides residential living space for K-12 students. Construction began in July 2008, the project was completed and occupied in December 2012.
- Chiller Plant project includes a 5,050 square foot building that provides chilled water to the Riverside campus. Construction began in November 2007, the project was completed and occupied in March 2009.

Staff Recommendation: Adopt the resolution.

MINUTES

Consider approving the minutes from the September 8, 2017 and September 18, 2017 meetings.

Staff has reviewed the minutes from the September 8, 2017 and September 18, 2017 Public Works Board Meetings and recommends approval of those meeting minutes.

Staff Recommendation: Approve minutes from the September 8, 2017 and September 18, 2017 meetings.

CONSENT ITEM

CONSENT ITEM—1

**DEPARTMENT OF GENERAL SERVICES (7760)
NEW “O” STREET OFFICE BUILDING PROJECT
SACRAMENTO COUNTY**

*Authority: Government Code Sections 14691-14697
Chapter 14, Statutes of 2017, Item 7760-301-0668(2)*

Consider approving performance criteria

CONSENT ITEM

STAFF ANALYSIS ITEM—1

Department of General Services
New “O” Street Office Building Project
Sacramento County

ITEM PULLED

ACTION ITEMS

ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
VARIOUS COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15853 of the Government Code*

Consider authorizing site selection of nine assessors parcels in full or in part.

High Speed Rail Authority Parcel Number	Assessor Parcel Number (APN) or location description
Madera County	
MF-20-9547	Portion of Canal adjacent to APN 047-240-003
Kings County	
FB-16-0413	014-260-104
Kern County	
FB-15-0026	059-251-16
FB-15-0063	046-010-10
FB-15-0063	046-040-03
FB-15-0064	047-060-22
FB-15-0064	047-060-23
FB-15-0067	047-060-50
FB-15-0068	047-060-49

ACTION ITEMS

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

If approved, the requested action would authorize site selection of nine assessors parcels in full or in part.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Project Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

To date, the Board has site-selected approximately 1,600 parcels comprising approximately 120 miles from Madera to near Bakersfield. This total does not reflect properties associated with right-of-way transfer agreements with local government.

The property in Madera County is needed to acquire the existing irrigation canal near proposed Avenue 10. This canal will be relocated to the west side of the HSTS main line. The property in Kings County is part of additional right of way needed for the 7th Avenue grade separation over the UPRR. FB-15-0026, in Kern County will be excess property to be acquired with adjacent parcels needed for the project. The remaining properties in Kern County are needed to extend and widen Wildwood Road to the north of Garces Highway to County Line Road to provide access to a hunting club and a Fish and Wildlife refuge.

For these properties, the CEQA and NEPA processes were completed in 2012 or 2014. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Staff Recommendation: Authorize site selection of nine assessor's parcels in full or in part.

ACTION ITEMS

ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
VARIOUS COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of five Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1. Richards Family Land Property (Kings County)**
Authority Parcel Numbers: FB-16-0142-2 and FB-16-0142-3
Assessor Parcel Number: 014-260-100
- 2. Cooper Property (Tulare County)**
Authority Parcel Number: FB-54-0202-1, FB-54-0202-2, FB-54-0202-3, FB-54-0202-4, FB-54-0202-5, FB-54-0202-6, FB-54-0202-7, FB-54-0202-8, FB-54-0202-01-01, and FB-54-0206-1
Assessor Parcel Numbers: 200-220-016 and 200-220-020 (formerly designated as 200-220-015)
- 3. Vie-Del Property (Fresno County)**
Authority Parcel Numbers: FB-10-0403-1, FB-10-0403-2, FB-10-0403-3, FB-10-0404-1, FB-10-0404-2, FB-10-0713-1, FB-10-0713-2, FB-10-0713-3, and FB-10-0713-4
Assessor Parcel Numbers: 042-180-13, 042-190-11S, and 042-170-41S (formerly designated as 042-170-16S)
- 4. Dias Property (Kings County)**
Authority Parcel Numbers: FB-16-0066-1, FB-16-0398-1, and FB-16-0398-2
Assessor Parcel Numbers: 014-130-070 and 014-130-071
- 5. 4285 Golden State Property (Fresno County)**
Authority Parcel Numbers: MF-10-0942-01-01
Assessor Parcel Numbers: 510-460-14 and 510-460-15

ACTION ITEMS

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

Adopt five Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 47.8 acres.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno and relocation of railroad lines, the construction of bridges over the San Joaquin and Fresno Rivers as well as other waterways, several dozen grade separations, multiple viaducts and trenches, and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to just north of Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the

consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between February 2017 and August 2017, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On September 22, 2017, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Richards Family Land Property (Kings County)
Authority Parcel Numbers: FB-16-0142-2 and FB-16-0142-3
Assessor Parcel Number: 014-260-100
Partial Acquisition: Approximately 0.72 acre in fee

This property will be needed for the construction of the HSTS near Grangeville Boulevard and for the Grangeville Boulevard grade separation.

2. Cooper Property (Tulare County)
Authority Parcel Number: FB-54-0202-1, FB-54-0202-2, FB-54-0202-3, FB-54-0202-4, FB-54-0202-5, FB-54-0202-6, FB-54-0202-7, FB-54-0202-8, FB-54-0202-01-01, and FB-54-0206-1
Assessor Parcel Numbers: 200-220-016 and 200-220-020 (formerly designated as 200-220-015)
Partial Acquisition: Approximately 24.29 acres total (23.73 acres in fee and 0.56 acre in easement)

This property will be needed for the construction of the HSTS between Avenue 152 and Avenue 144.

3. Vie-Del Property (Fresno County)
Authority Parcel Numbers: FB-10-0403-1, FB-10-0403-2, FB-10-0403-3, FB-10-0404-1, FB-10-0404-2, FB-10-0713-1, FB-10-0713-2, FB-10-0713-3, and FB-10-0713-4
Assessor Parcel Numbers: 042-180-13, 042-190-11S, and 042-170-41S (formerly designated as 042-170-16S)
Partial Acquisition: Approximately 10.23 acres total (9.55 acres in fee and 0.68 acre in easement)

This property will be needed for the construction of the HSTS between E. Rose Avenue and E. Mountain View Avenue and for the realignment of S. Chestnut Avenue.

4. Dias Property (Kings County)
Authority Parcel Numbers: FB-16-0066-1, FB-16-0398-1, and FB-16-0398-2
Assessor Parcel Numbers: 014-130-070 and 014-130-071
Partial Acquisition: Approximately 2.42 acres in fee

This property will be needed for the construction of the Grangeville Boulevard grade separation and a turning circle on 7½ Avenue.

5. 4285 Golden State Property (Fresno County)
Authority Parcel Numbers: MF-10-0942-01-01
Assessor Parcel Numbers: 510-460-14 and 510-460-15
Full Acquisition: Approximately 10.16 acres in fee

This property will be needed for the realignment of N. Golden State Boulevard between W. Santa Ana Avenue and W. Richert Avenue.

Staff Recommendation: **Adopt five Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 47.8 acres.**

OTHER BUSINESS

NONE

REPORTABLES

TO BE PRESENTED AT MEETING