



STATE PUBLIC WORKS BOARD
November 8, 2002
MINUTES

PRESENT:

Ms. Annette Porini, Chief Deputy Director, Department of Finance
Mr. Dennis Dunne, Chief Deputy Director, Department of General Services
Mr. Bob Garcia, Chief Financial Officer, Department of Transportation
Ms. Cindy Aronberg, Deputy Controller, State Controller's Office
Mr. Juan Fernandez, Director, Public Finance Division, State Treasurer's Office

ADVISORY MEMBER:

Director, Employment Development Department

LEGISLATIVE ADVISORS:

Assembly Member, Darrell Steinberg
Assembly Member Kevin Shelley
Assembly Member Sally Havice
Senator Richard G. Polanco
Senator Betty Karnette
Senator Wesley Chesbro

STAFF PRESENT:

James Tilton, Administrative Secretary, State Public Works Board, Department of Finance
Karen Finn, Assistant Administrative Secretary, State Public Works Board
Jim Lombard, Assistant Administrative Secretary, State Public Works Board
Kathryn Amann, Assistant Administrative Secretary, State Public Works Board
Madelynn McClain, Executive Secretary, State Public Works Board
Bryan Cash, Budget Analyst, Department of Finance
Nathan Brady, Budget Analyst, Department of Finance
Jim Martone, Budget Analyst, Department of Finance
Genevieve Frederick, Budget Analyst, Department of Finance

OTHERS PRESENT:

Anita Nord, State Treasurer's Office
Aaron Todd, State Treasurer's Office
Dave Appel, Military Department
Lisa Paterno, Department of Corrections

CALL TO ORDER AND ROLL CALL:

Ms. Porini, Chairperson, Chief Deputy Director, Department of Finance at 10:00 am called the meeting to order. Mr. Tilton, Administrative Secretary for the State Public Works Board called the roll. A quorum was established.

BOND ISSUES:

Mr. Tilton reported that there were nine bond items. We are pulling Item #6, Department of Forestry and Fire Protection, Hemet Ryan Air Attack Base and Item #9 Department of Food and Agriculture, Truckee Ag Inspection Station to allow staff more time for due diligence.

Item #1, Department of Justice, Santa Barbara Replacement Laboratory. This item will authorize the sale of lease revenue bonds and authorize interim financing.

A motion was made by Mr. Dunne, and Seconded by Mr. Fernandez to adopt Bond Item #1.

Bond Item #1 was adopted by a 5-0 vote.

Item #2, Department of General Services, Food and Agriculture Building Renovation. This item will authorize the sale of lease revenue bonds and authorize interim financing.

A motion was made by Mr. Fernandez, and Seconded by Mr. Dunne to adopt Bond Item #2.

Bond Item #2 was adopted by a 5-0 vote.

Item #3, Department of General Services, Capitol East End Complex. This item will authorize the sale of lease revenue bonds with par value estimated at \$530 million and maximum TIC at 6 percent. As you may be aware, final decisions have not been made regarding occupancy of the retail space. If any issues arise regarding retail space, we will bring those issues back to the board.

A motion was made by Ms. Aronberg, and Seconded by Mr. Garcia to adopt Bond Item #3.

Bond Item #3 was adopted by a 4-0 vote. Mr. Fernandez, State Treasurer's Office, abstained from the vote.

We are combining the three remaining Department of Forestry and Fire Protection bond items into one resolution, so the Board members only have to vote once.

Item #4, Department of Forestry and Fire Protection, Ventura Youth Conservation Camp. This item will authorize the sale of lease revenue bonds and authorize interim financing.

Item #5, Department of Forestry and Fire Protection, Weaverville Forest Fire Station, Relocate Facility. This item will authorize the sale of lease revenue bonds and authorize interim financing.

Item #7, Department of Forestry and Fire Protection, South Operations Area Headquarters, Relocate Facility. This item will authorize the sale of lease revenue bonds and authorize interim financing.

A motion was made by Mr. Dunne, and Seconded by Mr. Fernandez to adopt Bond Items #4, #5, and #7.

Bond Items #4, #5, and #7 was adopted by a 5-0 vote.

Item #8, Department of Youth Authority, Dewitt Nelson Youth Correctional Facility and Heman G. Stark Youth Correctional Facility. This item will authorize the sale of lease revenue bonds estimated at \$7 million and maximum TIC at 6 percent.

A motion was made by Mr. Fernandez, and Seconded by Mr. Dunne, to adopt Bond Item #8.

Bond Item #8 was adopted by a 5-0 vote.

CONSENT CALENDAR:

Mr. Tilton noted that the **Consent Calendar** covered Items #10 through #31.

The **revised consent calendar** covers Items #18 and #19, Items #21 through #23, Items #27 through #29, and Item #32.

In summary, the **consent calendar** proposes: ten requests to approve preliminary plans; one request to approve an augmentation; two requests to authorize site selection; seven requests to authorize acquisition; one request to approve the use of Inmate Day Labor; one request to recognize anticipated deficit; one request to authorize acquisition of fee parcel for public access through acceptance of an Offer to Dedicate; two requests to authorize a long term lease on state owned property at less than fair market value for development of housing.

There was one 20-day letter. Item #27, Air Resources Board, Haagen-Smit Laboratory, approve augmentation. A 20-day letter was sent to the Legislature on October 21, 2002. Approval of this item is contingent upon the passing of the 20-day waiting period without comment.

Staff recommends approval of the **consent calendar** Items #10 through #31.

A motion was made by Mr. Garcia, and by Seconded Mr. Dunne to adopt the Consent Calendar and to approve Items #10 through #31.

The consent calendar was adopted by a 3-0 vote.

ACTION ITEMS:

Mr. Tilton noted that there were three Action Items.

Item #32, Department of General Services, Department of Parks and Recreation, Calaveras Big Trees State Park. This item will authorize site selection and acquisition. Staff recommends your approval of site selection only to allow staff time to address title restriction issues. When those issues are resolved, we will bring the final acquisition approval to the board.

A motion was made by Mr. Dunne, and Seconded by Mr. Garcia to adopt Action Item #32.

Action Item #32 was adopted by a 3-0 vote.

Item #33, Department of General Services, Department of Parks and Recreation, MacKerricher State Park, Glass Beach Project. This item will authorize site selection and acquisition. This item is contingent on the following:

- CTC approval of a technical adjustment to the funding source at its December meeting;
- The dismissal with prejudice of the lawsuit concerning the implied dedication claim (Glass Beach Headlands Access Committee vs. Trustees of the William J. Blinn Trust, Mendocino Superior Court Case #SCUKCVG 1997 7779) concurrent with the close of escrow and no other litigation is pending related to the property;
- Satisfaction of CEQA requirements for the proposed acquisition, and the expiration of the filing period without any comment; controversy, or litigation;

- CIWMB implements the Remedial Action Plan and the North Coast Regional Water Quality Control Board provides written confirmation that the conditions of the Waste Discharge Requirements for the William J. Blinn Trust, Glass Beach Property (former Fort Bragg Dump), have been satisfied and will result in clean closure of the solid waste disposal site with no ongoing monitoring requirements;
- Removal of all identified concrete retaining structures and illegally disposed wood and concrete debris from the Property;
- Removal of all illegally disposed wood and concrete debris;
- There shall be no cost to DPR for any site remediation activities; and
- The owner is a willing seller and makes a binding commitment to sell the property to DPR consistent with the terms and price presented to PWB staff.

Mr. Dunne noted that this item was unusual. Mr. Tilton replies that the Waste Board needs confirmation that this project will be state owned in order to authorize the clean up work. In spite of all the restrictions, this is a good example of departments coordinating the resolution of the due diligence issues.

A motion was made by Mr. Dunne, and Seconded by Mr. Garcia, to adopt Action Item #33.

Action Item #33 was adopted by a 3-0 vote.

Item #34, Public Works Board Administrative Action, Delegation of Site Selection. This item will adopt a resolution to delegate the site selection function to staff for those acquisition items that meet the specified criteria.

Mr. Dunne complimented the PWB staff and noted that this process will expedite the approval of projects.

A motion was made by Mr. Dunne, and Seconded by Mr. Garcia, to adopt Action Item #34.

Action Item #34 was adopted by a 3-0 vote.

OTHER BUSINESS:

Mr. Tilton noted that there were no items of other business.

REPORTABLES:

Mr. Tilton indicated there were twelve reportables.

NEXT MEETING:

Mr. Tilton noted that the next PWB meeting is scheduled for Friday, December 13, 2002, at 10:00 am in Room 112.

Having no further business, the meeting was adjourned at 10:15 a.m.

BOND ITEM

BOND ITEM – 1

**DEPARTMENT OF JUSTICE (0820)
SANTA BARBARA REPLACEMENT LABORATORY, SANTA BARBARA COUNTY**

Authority: Chapter 379/2002, Item 0820-301-0660 (1)

Adopt a resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the State Department of Justice and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the State Department of Justice and the State Public Works Board.
4. Approve the form of and authorize the execution of a Site Lease between the State Department of Justice and the State Public works Board.
5. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds.

Total Estimated Bond Authorization \$5,518,000

APPROVED.

BOND ITEM

STAFF ANALYSIS – 1

Department of Justice
Santa Barbara Replacement Laboratory

Action Requested

The requested action will adopt a resolution authorizing interim financing.

Scope Description

This project is within scope. This project constructs a 13,804 square foot forensic laboratory. The administrative area consists of office space for a staff of 8 including the following: reception area; records file room; copy and supplies room; employee room; conference room; library; showers and lockers; and separate rest rooms for both employees and visitors. The laboratory area includes the following: evidence reception area; evidence viewing room; evidence vault w/walk-in freezer, refrigerator, drying cabinets, drug storage vault, and lab storage; firearms exam area; firearms vault; test fire tank and firing range; general exam area; Serology prep; PCR amplification; trace evidence rooms (2 ea.) and trace microscopy area; instrument room; clean lab room; vehicle exam w/lift; dark room; blood alcohol/intox; and maintenance shop. Site work, parking, and utilities are included.

Funding and Project Cost Verification

This project is within cost.

\$6,582,499 total estimated project cost:

\$1,064,499 project costs previously allocated: acquisition \$491,799; preliminary plans \$283,401; working drawings \$289,299

\$5,518,000 project costs to be allocated: construction \$5,518,000 (consisting of \$4,740,000 contract, \$237,000 contingency, \$310,000 A&E costs, \$231,000 other project costs)

CEQA

A Notice of Determination was filed with the State Clearinghouse on January 14, 2000, and the waiting period expired February 13, 2000.

Project Schedule

The project schedule is as follows:

Complete construction: March 2004

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 2

DEPARTMENT OF GENERAL SERVICES (1760)
FOOD AND AGRICULTURE BUILDING RENOVATION, 1220 N STREET, SACRAMENTO,
SACRAMENTO COUNTY
Renovate Facility

Authority: Chapter 379/02, Item 1760-301-0660 (1)

Adopt resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the Department of General Services and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the Department of General Services and the State Public Works Board.
4. Approve the form of and authorize the execution of a site lease between the Department of General Services and the State Public Works Board.
5. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds.

Total Estimated Bond Authorization: \$20,754,000

APPROVED.

BOND ITEM

STAFF ANALYSIS – 2

Department of General Services
Food and Agriculture Building Renovation, 1220 N Street, Sacramento

Action requested

The requested action will adopt a resolution authorizing interim financing.

Scope Description

This project is within scope. The project will structurally retrofit the building, abate all hazardous material within the building and renovate/upgrade the building. The work will include the removal of existing corridors and individual partition walls with asbestos containing material. Remove all non-essential interior improvements and upgrade all essential functions to current codes. Provide open arrangement office space complete with new dropped ceilings, HVAC system, fire protection, lighting fixtures, electrical service and sub-panels, fire alarm system, communication outlets, painting and carpeting. This building will be vacated during construction.

Funding and Cost Verification

This project is within cost.

\$22,204,000 total estimated project cost

\$1,450,000 project costs previously allocated; preliminary plans \$658,000 and working drawings \$792,000

\$20,754,000 project costs to be allocated; construction \$20,754,000 (\$15,554,000 contract, \$1,089,000 contingency, \$1,479,000 A & E, and \$2,632,000 agency retained.

CEQA

A Notice of Determination was filed with the State Clearinghouse on March 19, 1999, and the waiting period expired on April 21, 1999.

Project Schedule

The project schedule is as follows:

Complete Construction: August 2004.

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 3

**DEPARTMENT OF GENERAL SERVICES (1760)
CAPITOL EAST END COMPLEX**

*Authority: Chapter 761/97
Chapter 625/99
(Substantially codified in Government Code Section 8169.5)*

Adopt a resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds – Department of General Services, 2002 Series A, Capitol East End Complex
2. Approve the form of and authorize the execution of a Transfer Agreement between the Department of General Services and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the State Public Works Board and the Department of General Services.
4. Approve the form of and authorize the execution of a Supplemental Indenture to the Series I Indenture between the State Treasurer and the State Public Works Board.
5. Approve the form of and authorize the execution of a continuing Disclosure Agreement.
6. Approve the form of and authorize the execution and delivery of a Preliminary Official Statement.
7. Approve and authorize the execution and delivery of an Official Statement.
8. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.

Total Estimated Bond Authorization: \$392,455,026

APPROVED.

BOND ITEM

STAFF ANALYSIS – 3

Department of General Services
Capitol Area East End Complex

Action Requested

The requested action would authorize the sale of the lease revenue bonds for this project and approve the form of and authorize execution of financing documents as indicated in the Resolution.

Scope Description

This project is within scope. This project, which provides for the construction of office facilities and related parking structures, is necessary to achieve economies and efficiencies by consolidation of headquarters office functions of the Departments of Health Services and Education. The project consists of approximately 1.2 million usable square feet (s.f.) of office space, 1600 parking spaces, a 300-seat auditorium, and 19,900 s.f. of retail/commercial uses which includes 6,820 s.f. of restaurant space, 6398 s.f. of restaurant/retail space, 6,008 s.f. of retail space, three retail kiosks, and a joint-use community police facility.

Funding and Project Cost Verification

This project is within cost.

\$392,455,026 total project costs for acquisition, design, and construction

CEQA

CEQA was completed and no issues were raised.

Project Schedule

The project schedules are as follows:

Block 171-174 will be completed on March 1, 2003 and fully occupied on June 30th, 2003.
Block 225 was completed in July, 2002 and is fully occupied.

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 4

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
VENTURA YOUTH CONSERVATION CAMP, VENTURA COUNTY**
Construct Shop/Warehouse and Apparatus Buildings

Authority: Chapter 379/02, Item 3540-301-0660(10)

Adopt resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the Department of Forestry and Fire Protection and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the Department of Forestry and Fire Protection and the State Public Works Board.
4. Approve the form of and authorize the execution of a site lease between the Department of Forestry and Fire Protection and the State Public Works Board.
5. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds.

Total Estimated Bond Authorization:

\$1,397,000

APPROVED.

BOND ITEM

STAFF ANALYSIS – 4

Department of Forestry and Fire Protection

Ventura Youth Conservation Camp - Construct Shop/Warehouse and Apparatus buildings.

Action requested

The action requested will adopt a resolution authorizing interim financing.

Scope Description

This project is within scope. The approved project authorizes construction of a 2,376 square foot shop/warehouse building and a 5,042 square foot Apparatus building. Site work includes utilities, paving, landscaping, and all appurtenances.

Funding and Cost Verification

This project is within cost.

\$1,566,000 total authorized project costs

\$1,566,000 total estimated project costs

\$169,000 project costs previously allocated: preliminary plans \$51,000 and working drawings \$118,000

\$1,397,000 project costs to be allocated: construction \$1,397,000 (\$1,163,000 contract, \$58,000 contingency and \$176,000 A&E).

CEQA

A Notice of Exemption was filed with the State Clearinghouse on February 10, 2000, and the waiting period expired on March 13, 2000.

Other:

- Interim financing will be requested from the Pooled Money Investment Account (PMIA) in two phases. The first request will be for funds necessary to complete due diligence work and the second will be for construction activities, upon satisfactory completion of real estate due diligence.

Project Schedule

The project schedule is as follows:

Complete construction: May 2004

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 5

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
WEAVERVILLE FOREST FIRE STATION, TRINITY COUNTY
Relocate Facility

Authority: Chapter 379/02, Item 3540-301-0660(7)

Adopt resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the Department of Forestry and Fire Protection and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the Department of Forestry and Fire Protection and the State Public Works Board.
4. Approve the form of and authorize the execution of a site lease between the Department of Forestry and Fire Protection and the State Public Works Board.
5. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds.

Total Estimated Bond Authorization:

\$1,971,000

APPROVED.

BOND ITEM

STAFF ANALYSIS – 5

Department of Forestry and Fire Protection
Weaverville Forest Fire Station, Relocate Facility

Action requested

The action requested will adopt a resolution authorizing interim financing.

Scope Description

This project is within scope. The approved project authorizes the construction of a standard CDF 8 bed barracks/messhall building; a two bay apparatus building; a detached office; and, a flammable storage building. Project will include demolition; grading and site work; utilities; paving; landscaping; and all appurtenances.

Funding and Cost Verification

This project is within cost.

\$2,378,000 total authorized project costs

\$2,378,000 total estimated project costs

\$407,000 project costs previously allocated: acquisition \$208,000, preliminary plans \$53,000 and working drawings \$146,000

\$1,971,000 project costs to be allocated: construction \$1,971,000 (\$1,491,000 contract, \$75,000 contingency and \$405,000 A&E)

CEQA

A Notice of Determination was filed with the State Clearinghouse on March 26, 1999, and the waiting period expired on April 27, 1999.

Other:

- Interim financing will be requested from the Pooled Money Investment Account (PMIA) in two phases. The first request will be for funds necessary to complete due diligence work and the second will be for construction activities, upon satisfactory completion of real estate due diligence.

Project Schedule

The project schedule is as follows:

Complete construction: December 2003

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 6

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
HEMET-RYAN AIR ATTACK BASE, RIVERSIDE COUNTY
Replace Facility

Authority: Chapter 106/01, Item 3540-301-0660(6)
Chapter 379/02, Item 3540-301-0660(8.8)

Adopt resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the Department of Forestry and Fire Protection and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the Department of Forestry and Fire Protection and the State Public Works Board.
4. Approve the form of and authorize the execution of a site lease between the Department of Forestry and Fire Protection and the State Public Works Board.
5. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds.

Total Estimated Bond Authorization: \$5,456,000

PULLED.

BOND ITEM

STAFF ANALYSIS – 6

Department of Forestry and Fire Protection
Hemet Ryan Air Attack Base, Replace Facility

Action requested

The requested action will adopt a resolution authorizing interim financing.

Scope Description

This project is within scope. The approved project consists of constructing the following: a helicopter hanger (approximately 1,984 sq. ft.); an OV-10 hangar (3,600 sq. ft.); a 4,646 air operations building; a 3,850 sq. ft. (22 bed), barracks/messhall; and a 4,812 sq. ft. 3-bay apparatus building/warehouse building. Site work consists of demolition, clearing and grubbing, earthwork, paving, utilities and landscaping. Chapter 379/02, Item 3540-301-0660(8.8), Budget Act of 2002, authorized the acquisition of a long-term lease and tarmac construction work associated with this Lease Revenue Bond Project.

Funding and Cost Verification

This project is within cost. Chapter 106/01, Item 3540-301-0660(6), Budget Act of 2001, appropriated \$3,347,000 for the construction phase of this project and was approved by the PWB for interim financing on January 11, 2002. Chapter 379/02, Item 3540-301-0660(8.8), Budget Act of 2002, appropriated an additional \$2,109,000 for acquisition of a long-term lease and construction costs.

\$5,786,000 total estimated project costs

\$330,000 project costs previously allocated: preliminary plans \$164,000 and working drawings \$166,000

\$5,456,000 project costs to be allocated: acquisition \$350,000 and construction \$5,106,000 (\$4,384,000 contract; \$219,000 contingencies; and \$503,000 A&E)

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 23, 2000, and the waiting period expired on June 22, 2000.

Project Schedule

The project schedule is as follows:

Complete construction: December 2003

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 7

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
SOUTH OPERATIONS AREA HEADQUARTERS, RIVERSIDE COUNTY
Relocate Facility

Authority: Chapter 379/02, Item 3540-301-0660 (13)

Adopt resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the Department of Forestry and Fire Protection and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the Department of Forestry and Fire Protection and the State Public Works Board.
4. Approve the form of and authorize the execution of a site lease between the Department of Forestry and Fire Protection and the State Public Works Board.
5. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds.

Total Estimated Bond Authorization:

\$16,401,000

APPROVED.

BOND ITEM

STAFF ANALYSIS – 7

Department of Forestry and Fire Protection
South Operations Area Headquarters, Relocate Facility

Action requested

The requested action will adopt a resolution authorizing interim financing.

Scope Description

This project is within scope. The approved project authorizes the land lease relocation and construction of a new RSS-Riverside Essential Services Headquarters Facility at March Air Reserve Base. The existing facility is to be surplus-as-is through DGS. Construction includes a 12,323 gsf Office/Command Center, a 20,973 gsf Administration Building, a 3,504 gsf Construction/Engineering Office Building, a 1,581 gsf Electrical Shop, a 2,602 gsf Mechanical Shop, a 2,775 gsf Auto Shop, a 607 gsf Groundskeeper/Hazardous Material Building, a 640 gsf

Generator building, and Emergency Generator and a Communication Tower. Site work includes utilities, paving, curbs and gutters, landscaping, fencing, a fueling facility, and signs.

Funding and Cost Verification

This project is not within cost. Chapter 379/02, Item 3540-301-0660(13), Budget Act of 2002, provides \$16,401,000 for working drawings (\$1,090,000) and construction (\$16,471,000). While the preliminary plans estimate has identified a shortfall of \$1,163,000 (6.8 percent total project), the department has been directed to bring the project within budget during the working drawings phase through value engineering. Therefore, the deficit should not be recognized at this time.

\$18,367,000 total estimated project costs

\$17,204,000 total authorized project costs

\$803,000 project costs previously allocated: preliminary plans

\$16,401,000 project costs to be allocated: working drawings \$1,070,000, construction \$15,331,000 (\$10,789,000 contract, \$539,000 contingency, \$954,000 A&E costs, \$549,000 other project costs, and \$2,500,000 agency retained)

\$1,163,000 unrecognized deficit

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 9, 2002 and the waiting period expired on June 9, 2002.

Other:

- Interim financing will be requested from the Pooled Money Investment Account (PMIA) in two phases. The first request will be for funds necessary to complete working drawings (including due diligence) and the second will be for construction activities, upon satisfactory completion of working drawings and real estate due diligence.

Project Schedule

The project schedule is as follows:

Approve preliminary plans:	November 2002
Approve working drawings:	May 2003
Complete construction:	November 2005

Staff Recommendation: Approve resolution.

BOND ITEM

BOND ITEM – 8

DEPARTMENT OF THE YOUTH AUTHORITY (5460) VARIOUS CORRECTIONAL PROJECTS

1. DEWITT NELSON YOUTH CORRECTIONAL FACILITY
2. HEMAN G. STARK YOUTH CORRECTIONAL FACILITY

*Authority: Chapter 50/99, Item 5460-301-0660-(1) (DeWitt)
Chapter 50/99, Item 5460-301-0660-(6) (Heman G. Stark)
Chapter 379/02, Item 5460-301-0660 (5) (Heman G. Stark)*

Adopt a resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds – Department of the Youth Authority, 2002 Series B, various correctional projects.
2. Approve the form of Transfer Agreements between the Department of the Youth Authority and the State Public Works Board.
3. Approve the form of and authorize the execution of Facility Leases between the Department of the Youth Authority and the State Public Works Board.
4. Approve the form of and authorize the execution of a Supplemental Indenture to the Series I Indenture between the State Treasurer and the State Public Works Board.
5. Approve the form of and authorize the execution of a Continuing Disclosure Agreement.
6. Approve the form of and authorize the execution and delivery of a Preliminary Official Statement.
7. Approve and authorize the execution and delivery of an Official Statement.
8. Approve other related actions in connection with the authorization, issuance, sale, and delivery of said revenue bonds.

Total Estimated Bond Authorization:

\$5,034,055

APPROVED.

BOND ITEM

STAFF ANALYSIS – 8

Department of the Youth Authority
Various Correctional Projects

Action Requested

The requested action would authorize the sale of the lease revenue bonds for the following projects and approve the form of authority for the execution of financing documents as indicated in the resolution.

Scope Description-DeWitt Nelson Youth Correctional Facility, Visitor's Security Entrance/Hall

This project is within scope. The project is within budget and scope. This project will construct a 9,350 gross square foot Visitor's Security Entrance and Visiting Hall adjacent to the visitor parking lot, main entry gate, and administration building. The new facility includes a waiting area, a processing and security area with bullet resistant guard station, in and out sallyports, a visiting hall for a minimum capacity of 350 occupants, toilet facilities, and a secure outdoor visiting area with picnic tables. A movable partition in the visiting area allows division of the space for multipurpose functions.

Funding and Project Cost Verification

This project is within cost.

\$2,351,055 total estimated project costs

\$2,351,055 project costs previously allocated: construction \$2,351,055 (\$1,980,529 contract, \$99,026 contingency, \$154,000 A&E, \$66,000 other project costs, \$51,500 agency retained)

CEQA

The Notice of Exemption was filed with the State Clearinghouse on April 15, 1999, and the waiting period expired on May 21, 1999.

Project Schedule

The project schedule is as follows:

Complete construction: November 2001

Scope Description-Heman G. Stark Youth Correctional Facility, Correctional Treatment Center

This project is within scope. This project consists of two components: Construct a 2,800 gsf Mental Health Services building located north of the existing infirmary. The building will consist of professional staff offices/interview rooms, group counseling rooms, ward holding rooms, ward restroom, secretarial and reception room, work room and testing room, staff restrooms, and mechanical room. Exterior walls will be masonry with stucco coating and interior walls will be plaster. Upgrades the existing 9,500 gsf Infirmary into a licensed Correctional Treatment Center. Flooring will be replaced with vinyl tile, all walls will be painted, and some ceiling tiles will be replaced. Patient rooms will be renovated to create 14 rooms with beds, toilets, and sinks. Patient room windows will be replaced with security windows. Scope includes fire/smoke dampers, ADA compliance, nurse call, emergency generator, transfer switch, and diesel fuel tank.

Funding and Project Cost Verification

This project is within cost.

\$2,683,000 total estimated project costs

\$2,683,000 project costs previously allocated: construction \$2,683,000 (\$2,010,787 contract, \$414,213 contingency, \$183,000 A&E, \$62,000 other project costs, \$13,000 agency retained)

CEQA

The Notice of Exemption was filed with the State Clearinghouse on March 12, 1999, and the waiting period expired on April 16, 1999.

Project Schedule

The project schedule is as follows:

Complete construction: January 2003

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM – 9

DEPARTMENT OF FOOD AND AGRICULTURE (8570)
RELOCATE: TRUCKEE AGRICULTURAL INSPECTION STATION, NEVADA COUNTY
Construction

Authority: Chapter 106/01, Item 8570-301-0660(2)
Chapter 106/01, Item 8570-301-0042(2)

Adopt resolution to:

1. Authorize the sale of the State Public Works Board Lease Revenue Bonds.
2. Authorize the execution of the Construction Agreement between the Department of Forestry and Fire Protection and the State Public Works Board.
3. Approve the form of and authorize the execution of a Facility Lease between the Department of Forestry and Fire Protection and the State Public Works Board.
4. Approve the form of and authorize the execution of a site lease between the Department of Forestry and Fire Protection and the State Public Works Board.
5. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds.

Total Estimated Bond Authorization: \$7,686,000

PULLED.

BOND ITEM

STAFF ANALYSIS – 9

Department of Food and Agriculture
Relocate: Truckee Agricultural Inspection Station

Action Requested

The action requested will adopt a resolution authorizing interim financing.

Scope Description

This project is within scope. The approved project authorizes the construction of a new Agricultural Border Inspection Station on property near the existing CHP Weigh Station in Truckee. The new station will provide inspection for seven vehicle lanes and three truck lanes. An auxiliary merge lane will be installed for trucks. All lanes will have concrete pavement, with the exception of one future lane that will not be paved. The project consists of a 8,375 gross square feet (gsf) inspection structure and a stand-alone 6,840 gsf truck inspection and detention building. Site work includes grading, paving, fencing, lighting, signage, frangible cartridge type safety barriers, demolition of the existing station, and 920 linear feet AC paving of Union Mills road.

Funding and Cost Verification

This project is within cost. Chapter 106/01, Budget Act of 2001, Items 8570-301-0660(2) and 8570-301-0042(2) provide \$7,686,000 and \$3,500,000 respectively, for a total of \$11,186,000. While the latest working drawings estimate identifies a shortfall of \$615,400 (5.5 percent of the construction phase), it is unknown what the actual cost of construction will be until the project is bid. Therefore, no deficit should be recognized at this time.

It should also be noted that because this project is partially funded with State Highway Account (0042) and Lease-Revenue Bonds (0660), only the portion of the project constructed using bond funds is to be included in the description of the bonded project.

\$12,395,000 total estimated project costs

\$1,209,000 project costs previously allocated: study \$439,000, preliminary plans \$237,000 and working drawings \$533,000

\$11,186,000 project costs to be allocated: construction \$11,186,000 (\$10,020,000 contract, \$501,000 contingency and \$665,000 A&E/Other)

CEQA

A Notice of Determination was filed with the State Clearinghouse on October 12, 1999, and the waiting period expired on November 12, 1999.

Project Schedule

The project schedule is as follows:

Complete construction: November 2004

Staff Recommendation: Adopt resolution.

CONSENT ITEM

CONSENT ITEM – 10

**DEPARTMENT OF GENERAL SERVICES (1760)
CALIFORNIA MEN'S COLONY, SAN LUIS OBISPO
SEISMIC RETROFIT PROJECT, SAN LUIS OBISPO COUNTY**
Administration A Building

*Authority: Chapter 52/00, Item 1760-301-0768 (16)
Chapter 379/02, Item 1760-301-0768 (2)*

- a. **Approve preliminary plans**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 10

Department of General Services
California Men's Colony, San Luis Obispo Administration A Building
Seismic Retrofit Project

Action Requested

The requested action will approve preliminary plans and the release of working drawing funds for this project.

Scope Description

This project is within scope. This project consists of a "Structural Only" Retrofit. Architectural/mechanical/ electrical and hazardous material abatement costs are limited to incidental work to enable the structural retrofit. Building "A" houses the administrative offices of the State Prison facility. It is a 2-story U-shaped concrete structure, measuring approximately 200'x166', resulting in 51,400 s.f. of total square footage. The building is founded on grade beams and drilled piers. The retrofit solution requires the addition at the first floor of a new shear wall at the Visiting Room overflow area, and at the Lobby Stairs. New concrete infills are required at various window wall locations. The second floor also will require concrete infills at window locations, and collector members in the ceiling of the re-entrant corner.

Funding and Project Cost Verification

This project is within cost.

\$3,083,000 total estimated project costs

\$ 87,000 project costs previously allocated: preliminary plans \$87,000

\$2,996,000 project costs to be allocated: working drawings \$272,000 and construction \$2,724,000 (\$1,750,000 contract, \$123,000 contingency, \$609,000 A&E, and \$242,000 guarding costs) at CCCI 4019

CEQA

A Notice of Exemption was filed with the State Clearinghouse on June 29, 2001, and the waiting period expired on August 5, 2001.

Project Schedule

The project schedule is as follows:

Approve working drawings: May 2003
Complete construction: October 2004

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

CONSENT ITEM

CONSENT ITEM – 11

**DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF CORRECTIONS, DEUEL VOCATIONAL INSTITUTION
TRACY, SAN JOAQUIN COUNTY**
Seismic Retrofit Project, Hospital Wing B

*Authority: Chapter 52/00, Item 1760-301-0768 (18)
Chapter 379/02, Item 1760-301-0768 (3)*

a. Approve preliminary plans

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 11

Department of General Services
Deuel Vocational Institution – Tracy, San Joaquin County
Seismic Retrofit Project, Hospital Wing B

Action Requested

The requested action will approve preliminary plans and the release of working drawing funds for this project.

Scope Description

This project is within scope. This project consists of a “Structural Only” Retrofit. Architectural/mechanical/ electrical and hazardous material abatement costs are limited to incidental work to enable the structural retrofit. Retrofit work includes new pile cap extensions, concrete shear walls, fiberwrap of existing concrete columns, metal decks with concrete topping and structural steel members. The use of Swing Space is not anticipated. Relocation of existing staff will be coordinated with DVI.

Funding and Project Cost Verification

This project is within cost.

\$2,061,000 total estimated project costs

\$73,000 project costs previously allocated: preliminary plans \$73,000

\$1,988,000 project costs to be allocated: working drawings \$235,000 and construction \$1,753,000 (\$1,121,000 contract, \$78,000 contingency, \$332,000 A&E, \$20,000 CDC Telecommunications and \$202,000 guarding costs) at CCCI 4019

CEQA

A Notice of Exemption was filed with the State Clearinghouse on June 26, 2001, and the waiting period expired on July 31, 2001.

Project Schedule

The project schedule is as follows:

Approve working drawings: July 2003
Complete construction: October 2004

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

CONSENT ITEM

CONSENT ITEM – 12

DEPARTMENT OF GENERAL SERVICES (1760)
CALIFORNIA STATE PRISON, SAN QUENTIN BUILDING, MARIN COUNTY
Building 22, Modulars

Authority: Chapter 106/01 Item 1760-301-0001 (16.5)
Chapter 379/02 Item 1760-301-0768 (5)

- a. **Approve preliminary plans**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 12

Department of General Services
California State Prison, San Quentin Building 22, Modulars

Action Requested

The requested action will approve preliminary plans and the release of working drawing funds for this project.

Scope Description

This project is within scope. This project includes moving occupants out of Building 22 (except Library) to modular buildings and to renovated existing buildings within the Prison. This project includes renovation of the buildings and areas that will be used for swing space.

Funding and Project Cost Verification

This project is within cost.

\$6,468,000 total estimated project costs

\$288,000 project costs previously allocated: preliminary plans \$288,000

\$6,180,000 project costs to be allocated: working drawings \$484,000 construction \$5,696,000 (contract \$3,790,000, contingency \$265,000, A&E \$411,000, guarding costs \$830,000, and agency retained items {telecom, miscellaneous equipment} of \$400,000) at CCCI 4019

CEQA

A Notice of Determination was filed with the State Clearinghouse on December 6, 2001, and the waiting period expired on January 5, 2002.

Project Schedule

The project schedule is as follows:

Approval working drawings: April 2003
Complete construction: March 2004

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

CONSENT ITEM

CONSENT ITEM – 13

**DEPARTMENT OF GENERAL SERVICES (1760)
FRESNO STATE OFFICE BUILDING, FRESNO COUNTY**
Seismic Retrofit Project

*Authority: Chapter 106/01, Item 1760-301-0768 (28)
Chapter 379/02, Item 1760-301-0768 (11)*

- a. **Approve preliminary plans**
- b. **Recognized anticipated deficit** **\$252,000**
(12.7 percent of construction phase)
(9.9 percent total project cost)

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 13

Department of General Services
Department of General Services, Fresno State Office Building
Seismic Retrofit Project

Action Requested

The requested action will approve preliminary plans, release working drawing funds, and recognize an anticipated deficit for this project.

Scope Description

This project is within scope. This project consists of a “Structural Only” Retrofit. Architectural/mechanical/ electrical and hazardous material abatement costs are limited to incidental work to enable the structural retrofit. The retrofit consists of infilling 2 banks of windows on all five floors for the north and south side of the building and constructing new concrete shear walls at the basement and first floor levels and reinforcing concrete girders with fiberwrap. This work will require a number of tenants to be relocated during the work in their areas.

Funding and Project Cost Verification

This project is not within cost. Based on the completion of preliminary plans, the following items have been identified which were previously omitted or under funded in the conceptual cost estimate. Swing space costs of \$99,000 has been included so those tenants can be relocated while construction occurs in their respective areas. Additional costs of \$153,000 for on-site construction management, guarantee inspection, and special consultants have been added to provide the appropriate level of funding to compete the project.

\$2,799,000 total estimated project costs

\$2,547,000 previously estimated project costs

\$301,000 project costs previously allocated: study \$20,000 and preliminary plans \$281,000.

\$2,246,000 project costs to be allocated: working drawings \$261,000 and construction \$1,985,000 (\$1,547,000 contract, \$108,000 contingency, \$330,000 A&E) at CCCI 4019.

\$252,000 recognized anticipated deficit

CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 12, 2002, and the waiting period expired May 12, 2002.

Project Schedule

The project schedule is as follows:

Approve working drawings: June 2003
Complete construction: July 2004

Staff Recommendation: Approve preliminary plans, release working drawings, and recognize an anticipated deficit.

CONSENT ITEM

CONSENT ITEM – 14

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
SHASTA FOREST FIRE STATION, SHASTA COUNTY
Project Number CDF184, DGS Parcel 10053

Authority: Government Code 15853
Government Code 11005

- a. **Authorize site selection and acquisition consistent with the staff analysis**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 14

Department of General Services
Department of Forestry and Fire Protection
Shasta Forest Fire Station

Action requested

The requested action will authorize site selection and acquisition consistent with the staff analysis.

Scope Description

The Department of Forestry and Fire Protection (CDF) entered into a ground lease of approximately 3.9 acres, with the Bureau of Land Management (BLM), U.S. Department of Interior. The Shasta Forest Fire Station was subsequently constructed on this property. BLM has offered a patent for no cost conveyance of the property for fire station purposes pursuant to the Recreation and Public Purposes Act of June 14, 1926, as amended and supplemented (43 U.S.C. 869, et. seq.). The Act authorizes the no cost transfer of public lands for recreational or public purposes to State and local governments and to qualified non-profit organizations. Examples of typical uses under the Act are historic monument sites, campgrounds, schools, firehouses, law enforcement facilities, municipal facilities, landfills, hospitals, parks, and fairgrounds.

Terms and Conditions

Pursuant to the Recreation and Public Purposes Act, the patent to convey the property contains the following terms and conditions:

- 1). indemnification for BLM against any claims resulting from any past, present or future use of the property by the State of California,
- 2). reversionary language in the event the patentee transfers control or title without BLM approval, uses the property for purposes other than those under which the property was conveyed, ceases to use the property for the intended purpose for a five year period, or has failed to follow the approved development or management plan,

3). reservation to BLM of rights to construct ditches and canals and all minerals with surface right of entry. Although all minerals with surface entry rights are reserved to the U.S. in the Patent, the Secretary of the Interior has not issued regulations to allow mining activity on Recreation and Public Purposes land. In the future, to remove these restrictions, the property must be acquired under a purchase Patent.

Costs

The only costs associated with acceptance of this no cost conveyance are the staff costs to process the acceptance and a \$50 processing fee.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on October 29, 2001, and the waiting period expired on December 4, 2001.

Project Schedule

The project schedule is as follows:

The anticipated acquisition is December 2002.

Condition of Property

The Department of General Services (DGS), Environmental Services Section (ESS) staff reviewed a Preliminary Site Assessment prepared by BLM and identified no obvious hazards that could result in unknown future remediation costs to the State.

Other

- On December 14, 2001, the State Public Works Board (PWB) authorized acquisition of this property through the acceptance of a gift. The patent for conveyance of the property was provided after PWB gift approval, and it was found not to be a gift, but a “no cost” conveyance requiring the State to provide a public benefit. The terms and conditions of the patent require services to be provided to the public in exchange for use of the property. State ownership would terminate if the property was no longer put to the intended public use.

Staff Recommendation: Authorize site selection and acquisition consistent with the staff analysis.

CONSENT ITEM

CONSENT ITEM – 15

DEPARTMENT OF GENERAL SERVICES (1760)
STATE COASTAL CONSERVANCY (3760)
RIGGIO, OFFER TO DEDICATE FEE TITLE FOR PUBLIC ACCESS
Monterey County
Project Number SCC 127, Permit Number P-79-392

- a. **Authorize acquisition of a fee parcel for public access through acceptance of an Offer to Dedicate**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 15

Department of General Services
State Coastal Conservancy
Riggio, Offer to Dedicate Fee Title for Public Access

Action requested

The requested action will authorize acquisition of a fee parcel for public access through acceptance of an Offer to Dedicate.

Irrevocable Offer to Dedicate

The Coastal Commission granted conditional development Permit Number P-79-392 on August 20, 1979, for the construction of a two story single family dwelling in the coastal zone. The conditional permit required the property owner to record an irrevocable Offer to Dedicate (OTD) a fee parcel for public access and passive recreation along the bluff, in the form of an Irrevocable Offer to Dedicate Fee Title. This OTD will expire if not accepted within 21 years of creation. This OTD will expire on December 9, 2002, unless accepted by a governmental entity or qualified non-profit organization. On October 31, 2002, the State Coastal Conservancy (SCC) voted unanimously to accept the fee public access.

Terms and Restrictions

This lateral fee access OTD is for public access and recreational use along the bluff top overlooking Carmel State Beach and the mouth of the Carmel River. The site is part of a residential neighborhood along the inland side of Scenic Drive in the community of Carmel Point.

Cost

The acceptance of this OTD involves only the administrative cost of staff analysis and the Department of General Services review.

CEQA

The Notice of Determination was filed on October 31, 2002, and it will expire on December 5, 2002.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the Riggio beachfront property on October 17, 2002, located on Scenic Road in Carmel, California. The site and surrounding parcels are residential, with frontage on Carmel River State Beach. Given the current condition of the subject property, surrounding parcels, prior land use, and the unimproved state of the adjacent beachfront, ESS staff recommends that a Phase I Site Assessment is not necessary. No potential problems with hazardous materials were observed during the site visit and the property is compatible with the proposed future use.

Other

- According to the SCC this OTD is unusual in that its purpose is to allow future road or path improvements on the inland side of Scenic Drive. The OTD was required because of concern about how Scenic Drive would be maintained as a two-lane road if the bluff should erode significantly in the future.
- The SCC reports that although Monterey County originally planned to accept this OTD, county staff concluded that there was no need for the County to accept this OTD because Scenic Drive appears to be under no threat from erosion. County policy is to hold interests in land only when absolutely necessary.
- The SCC plans for eventual transfer of ownership of this property to appropriate local government or non-profit organizations for management for public use.
- The land area included in the OTD are the existing paved areas used as part of Scenic Drive and any other area within 5 (five) feet of the seaward boundary of the subject parcel along Scenic Drive, approximately 500 square feet.
- Due to Monterey County's recent decision not to accept this OTD, SCC is now left with a reduced time frame in which to accept this OTD. The filing of the CEQA document, Notice of Exemption (NOE), could not be accomplished until after approval at the October 31, 2002 SCC meeting. The waiting period for the NOE will not expire until December 5, 2002. Since the OTD will expire if the Certificate of Acceptance is not recorded by December 9, 2002, contingent approval at the November PWB meeting would be prudent to avoid the expiration of the OTD.

Staff Recommendation: Authorize acquisition of a fee parcel for public access through acceptance of an Offer to Dedicate, pending expiration of the Notice of Exemption waiting period.

CONSENT ITEM

CONSENT ITEM – 16

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
FOLSOM LAKE STATE RECREATION AREA, SACRAMENTO COUNTY
DPR Parcel Numbers A31802 & A31803, DGS Parcel Number 10139

Authority: Chapter 52/00, Item 3790-301-0005(18)

a. Authorize acquisition consistent with the staff analysis

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 16

Department of General Services
Department of Parks and Recreation
Folsom Lake State Recreation Area

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The Legislature approved funding for the acquisition of two high priority land additions totaling approximately 115 acres located near Folsom Lake. A more detailed measurement indicates that the parcels contemplated as part of the original scope total approximately 118 acres. The first of the two additions totaled approximately 86.3 acres and was acquired in November of 2000. The second addition consists of four parcels, which total approximately 31.44 acres. Two of these parcels were approved for acquisition in October of 2002. This request will authorize acquisition of the final two parcels (approximately 1.1 acres) that are part of the second addition. The two parcels associated with this request are some of the last remaining vacant parcels located adjacent to the west side of the Lake Natoma Sector of the State Recreational Area.

Funding and Cost Verification

This project is within cost. Chapter 52/00, 3790-301-0005(18) provides \$4,000,000 for this acquisition in fee simple interest and associated overhead for the real property. In addition, an augmentation of \$545,000 was approved for this project at the July 12, 2002 PWB meeting. In total, the project is expected to cost \$4,545,000. The following cost information focuses on just the purchase of the two parcels associated with this request.

\$201,305	total project costs for this phase
\$1,390	project costs previously allocated (DGS staff costs)
\$199,915	project costs to be allocated: \$198,500 acquisition and approximately \$1,415 in

overhead costs

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 31, 2002, and the waiting period expired on March 7, 2002.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is in December of 2002.

Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) Staff, conducted a site visit on June 13, 2002, of the Snipes-Pershing Ravine properties. No due diligence issues were noted that would prevent acquisition. The property includes open space for recreation, native plant habitat and public trails. ESS staff concluded that a formal Preliminary Site Assessment, Phase I, was not necessary for acquisition based on the following findings: (1) the site remains undeveloped and contains vernal pools, creeks, grasses and oak woodland; (2) the property is adjacent to the Folsom State Recreation Area (SRA); (3) there are no surface/subsurface improvements on the property that would require inspection; (4) no observation of hazardous material use, solid waste, storage of these wastes, or surface drainage was made; and, (5) properties adjacent to the site are residential and do not contain improvements (industrial uses, fuel storage, waste disposal, unknown debris, etc.) that would raise a concern for migration of hazardous materials.

Other:

- The State Public Works Board (PWB) approved this project for site selection on July 12, 2002.
- The purchase price shall not exceed the estimated fair market value as determined by a DGS approved appraisal.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The property acquisition agreement will require delivery of clear title to the State.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- DPR's originally estimated annual costs of \$53,700 and 1.5 PY (as well as a one-time cost of \$25,000) to acquire this addition and the second addition in the Folsom Lake SRA vicinity. In November 2000 the PWB approved another acquisition and the Agenda for this item reiterated the original operation cost estimates for both parcels. DPR now indicates that these two estimates may have underestimated the one time costs. Once DPR completes an assessment of the immediate management needs of both properties, DPR estimates that the one time support costs will range between \$25,000, as originally estimated, up to \$100,000 to preserve and protect the natural resources on the properties including the vernal pool, longhorn elderberry beetle, drainage problems, erosion problems, and protection of a creek that runs through a portion of the properties. Given continued weakness in State revenues and necessary expenditure adjustments for 2002-03, DPR may not have the resources to address these costs. Although an augmentation request would be evaluated through the normal budget process, Finance would not recommend additional support expenditures if continued revenue forecasts fail to project short-term growth and additional program reductions become necessary.

Staff Recommendation: Authorize acquisition consistent with the staff analysis.

CONSENT ITEM

CONSENT ITEM – 17

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
WILDWOOD CANYON-BIRMINGHAM PROPERTY
WILDWOOD STATE PARK, SAN BERNARDINO COUNTY
DPR Parcel Number A37301, DGS Parcel Number 10136

Authority: Chapter 106/01, Item 3790-301-0005(29)

a. **Authorize acquisition consistent with the staff analysis**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 17

Department of General Services
Department of Parks and Recreation
Wildwood Canyon-Birmingham Property

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The Legislature has approved funding for the purchase of interests in desirable habitat parcels statewide without specifying particular parcels. This request will authorize acquisition for the purchase of 655 acres in the County of San Bernardino.

Funding and Cost Verification

This project is within cost. The Legislature appropriated \$35,000,000 for this program and there is a sufficient balance remaining in the account to pay the total project costs outlined below. The property interest can be acquired with the funds available and in accordance with Legislative intent.

\$3,212,325 total estimated project costs

\$4,325 project costs previously allocated: DGS staff costs for appraisal review \$3,325 and preparation of Relocation Assistance Plan \$1,000

\$3,208,000 project costs to be allocated: \$3,200,000 for acquisition and approximately \$8,000 for title and escrow fees

CEQA

A Notice of Exemption was filed with the State Clearinghouse on September 20, 2002, and the waiting period will expire on October 26, 2002.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is December 2002.

Condition of Property

Department of General Services, Environmental Services Section (ESS) staff conducted a site visit to the Birmingham property on September 23, 2002, located in Yucaipa, California. ESS staff also reviewed a Preliminary Site Assessment (PSA) Phase I prepared for this property and believe the PSA Phase I was professionally prepared to the standards for due diligence assessments. The PSA Phase I found the subject property was not listed on regulatory databases as a site with violations, tanks, or other recognized environmental conditions. Based on the age of the structures on the Birmingham property, asbestos and lead based paint surveys were recommended prior to any remodeling. No potential problems with hazardous materials were observed during the site visit and the property is compatible with the proposed future use.

Other:

- The State Public Works Board approved this project for site selection on October 11, 2002.
- The purchase price shall not exceed estimated fair market value as determined by a Department of General Services (DGS) approved appraisal.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The property acquisition agreement will require delivery of a Corporation Grant Deed to the State free and clear of any liens.
- The State will be acquiring fee title and an access easement.
- DPR estimates support costs are \$1,339,000 for personal services, operating expenses and equipment. Estimated staffing of 5 positions. One time costs are estimated at \$665,000. Given continued weakness in State revenues and necessary expenditure adjustments for 2002-03, DPR does not have the resources to address the costs of full public access. Although an augmentation request would be evaluated through the normal budget process, Department of Finance would not recommend additional support expenditures if continued revenue forecasts fail to project short-term growth and additional program reductions become necessary. Until additional funding is provided, DPR will restrict authorized controlled access to only special events and other permitted activities on the property and will absorb the cost of this limited controlled access.
- This property has a single improvement which is a small three bedroom house consisting of 1,750± sq. ft., that is approximately 50 years in age. Overall the house is in a fair condition and meets the minimum standard for being decent, safe and sanitary. DPR plans on using the house for staffing and operational purposes when the tenant(s) vacate the property.
- This acquisition includes relocation benefits, pursuant to the Relocation Assistance Plan (RAP), for the property caretaker and his family. DGS has completed the RAP entitlement analysis in the amount of \$50,610.00 for housing and \$2,650.00 for moving costs. The caretaker desires to waive relocation benefits in return for the right to remain in the house on the subject property for a period not to exceed two years. During this two-year period the current owner will construct a new caretaker residence on his adjacent property.

Staff Recommendation: Authorize acquisition consistent with the staff analysis.

CONSENT ITEM

CONSENT ITEM – 18

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
KENNETH HAHN STATE RECREATION AREA, LOS ANGELES COUNTY
DPR Parcel Number A37402, DGS Parcel Number 10137

*Authority: Chapter 106/01, Item 3790-302-0005(7)
Chapter 400/01, Section 11
Chapter 636/01, Section 1*

- a. **Authorize site selection and acquisition consistent with the staff analysis**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 18

Department of General Services
Department of Parks and Recreation
Kenneth Hahn State Recreation Area

Action requested

The requested action will authorize site selection and acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The Legislature has approved the funding for the expansion of Kenneth Hahn State Recreational Area without specifying particular parcels. The Governor indicated in his veto message that he was supportive of the funding provided that the funds would be used to secure the acquisition of the Stocker Street Trail. Subsequent legislation clarified that the funds could also be used for the development and planning of the parcels upon completion of the acquisition. The Department of Parks and Recreation has further defined the scope as the acquisition of five parcels of open space totaling 32.86 acres of land located along Stocker Street, as additions to Kenneth Hahn State Recreation Area, in Baldwin Hills and potentially some development of the parcels. This request will authorize acquisition of fee simple interest in the second of five parcels. This parcel is approximately 8.88 acres in size.

Funding and Cost Verification

This project is within cost. Chapter 106, Statutes of 2001, Item 3790-302-0005(7) as modified through Chapter 400, Statues of 2001 and reappropriated through Chapter 636, Statutes of 2002, provides funding for this acquisition in fee simple, acquisition overhead costs, development and planning of real property along the Stocker Street Trail. The property can be acquired within the funds available and in accordance with Legislative intent.

\$4,000,000 total estimated project costs

\$679,750 project costs previously allocated: \$679,000 purchase of the first parcel and \$750 DGS staff costs for this acquisition

\$3,320,250 project costs to be allocated: \$400,000 acquisition and estimated closing costs of \$1,600 for this phase, \$2,918,650 for subsequent phases.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on February 13, 2002, and the waiting period expired on March 20, 2002.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is November 2002.

Condition of Property

The Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the Stocker properties located in Los Angeles, California on October 10, 2002. The parcels are undeveloped and do not contain improvements (industrial uses, fuel storage, waste disposal, unknown debris, etc.) that would raise a concern for migration of hazardous materials. Given the current condition of the subject property, and its prior land use, ESS staff recommends that a Phase I Site Assessment is not necessary. No potential problems with hazardous materials were observed during the site visit and the property is compatible with the proposed future use.

Other:

- The purchase price shall not exceed estimated fair market value as determined by a Department of General Services (DGS) approved appraisal.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The property acquisition agreement will require the delivery of clear title to the State.
- There is no implied dedication on this property.
- DPR estimates that this acquisition would result in one-time costs of \$30,000 associated with trail development and annual costs of \$56,000 for brush clearing (\$50,000) and sign and trail maintenance (\$6,000). The County of Los Angeles has refused to provide any additional support for operation and maintenance costs outside of those necessary for the existing boundaries of Kenneth Hahn SP. Given continued weakness in State revenues and necessary expenditure adjustments for 2002-03, DPR has stated that it does not have the resources to absorb these costs. Although an augmentation request would be evaluated through the normal budget process, Finance would not recommend additional support expenditures if continued revenue forecasts fail to project short-term growth and additional program reductions become necessary.
- The property is vacant and unimproved. There is no relocation assistance involved with this project.
- The trailer bill legislation and reappropriation legislation provided authority for the project to include development and planning of the parcels, and provided that the funding be available until June 30, 2005. As a result, the department may complete a subsequent development phase of the project.

Staff Recommendation: Authorize site selection and acquisition consistent with the staff analysis.

CONSENT ITEM

CONSENT ITEM – 19

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF MENTAL HEALTH (4440)
Metropolitan State Hospital, Los Angeles County
Old Administration Building, Lease Number 1971

Authority: Government Code Section 14671.2

- a. **Authorize a long-term lease on state owned property at less than fair market value for development of housing**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 19

Department of General Services
Department of Mental Health
Metropolitan State Hospital, Old Administration Building

Action requested

The requested action will authorize a long-term lease on state owned property at less than fair market value for development of housing.

Scope Description

This project is within scope. The Department of General Services (DGS) will execute a 20-year lease at less than market value for a state owned building consisting of approximately 6,480 square feet with shared parking located at the Metropolitan State Hospital in Los Angeles County. Section 14671.2 of the Government Code authorizes the Director of the DGS to let state owned real property at less than market value for the beneficial public purpose of subsidized housing. The below market lease will make the property available for use as a congregate care facility serving persons with mental illness.

CEQA

A Mitigated Negative Declaration was prepared A Notice of Determination was filed with the State Clearinghouse on March 4, 2002, and the waiting period expired April 3, 2002.

Project Schedule

State's execution of the lease is anticipated November 2002. The term of the lease is July 1, 2002, through June 30, 2022. Building renovation by Lessee is scheduled for completion on or about June 30, 2005.

Other:

- The building is listed in the National Register of Historic Places as a part of the Metropolitan Hospital Historic District. Due to its historical status, the property will be renovated in accordance with a Memorandum of Agreement between the Department of Housing and Urban Development (HUD) and the California State Historic Preservation Office (SHPO). The prospective lessee, Homes for Life Foundation, has obtained funding for this renovation and transitional living program through the U.S. Department of Housing and Urban Development (HUD) in the amount of \$703,500.00. No state funds will be expended on this project.
- Rent will be collected monthly beginning June 30, 2005, or upon occupancy, whichever occurs first.
- Utilities are the responsibility of the Lessor upon start of construction through the remaining term of the lease.
- The leased premises will be used to develop housing for persons with chronic mental illness and to provide related support services. Housing shall be provided by the lessee in compliance with Section 14671.2 of the Government Code.

Staff Recommendation: Authorize a long-term lease on state owned property at less than fair market value for development of housing.

CONSENT ITEM

CONSENT ITEM – 20

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF MENTAL HEALTH (4440)
Metropolitan State Hospital, Los Angeles County
Building 303, Lease Number 1796

Authority: Government Code Section 14671.2

- a. **Authorize a long-term lease on state owned property at less than fair market value for development of housing**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 20

Department of General Services
Department of Mental Health
Metropolitan State Hospital, Building 303

Action requested

The requested action will authorize a long-term lease on state owned property at less than fair market value for development of housing.

Scope Description

This project is within scope. The Department of General Services (DGS) will execute a 20-year lease at less than market value for a state owned building consisting of approximately 11,800 square feet with shared parking located at the Metropolitan State Hospital in Los Angeles County. Section 14671.2 of the Government Code authorizes the Director of DGS to let state owned real property at less than market value for the beneficial public purpose of subsidized housing. The below market lease will make the property available for use as a congregate care facility serving persons with mental illness.

CEQA

A Mitigated Negative Declaration was prepared and a Notice of Determination was filed with the State Clearinghouse on March 4, 2002, and the waiting period expired April 3, 2002.

Project Schedule

The State's execution of the lease is anticipated November 2002. The term of the lease is July 1, 2002, through June 30, 2022. Building renovation by Lessee is scheduled for completion on or about June 30, 2005.

Other:

- The building is listed in the National Register of Historic Places as a part of the Metropolitan Hospital Historic District. Due to its historical status, the property will be renovated in accordance with a Memorandum of Agreement between the Department of Housing and Urban Development (HUD) and the California State Historic Preservation Office (SHPO). The prospective lessee, Homes for Life Foundation, has obtained funding for this renovation and transitional living program through the U.S. Department of Housing and Urban Development (HUD) in the amount of \$1,418,000.00. No state funds will be expended on this project.
- Rent will be collected monthly beginning June 30, 2005, or upon occupancy, whichever occurs first.
- Utilities are the responsibility of the Lessor upon start of construction through the remaining term of the lease.
- The leased premises will be used to develop housing for persons with chronic mental illness and to provide related support services. Housing shall be provided by the lessee in compliance with Section 14671.2 of the Government Code.

Staff Recommendation: Authorize a long-term lease on state owned property at less than fair market value for development of housing.

CONSENT ITEM

CONSENT ITEM – 21

DEPARTMENT OF GENERAL SERVICES (1760)
CALIFORNIA DEPARTMENT OF CORRECTIONS (5240)
DELANO II, TRAFFIC SIGNAL MITIGATION, KERN COUNTY
Project Number COR-051, Parcels 10030, 10031, 10032

Authority: Government Code Section 15819.295, Section 3

a. Authorize acquisition consistent with the staff analysis

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 21

Department of General Services
Department of Corrections
Delano II, Traffic Signal Mitigation

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The project provides for acquisition of real property, site studies, environmental studies, master planning, preliminary plans, and working drawings needed to construct the proposed Delano II prison facility. Traffic mitigation for the project requires acquisition of land mitigation at the intersection of Cecil Avenue and Albany Street in the City of Delano and the construction of signal controls. The intersection is located approximately two miles east of the planned Delano II prison facility. Three corner parcels must be acquired to construct traffic signals, the combined size is approximately 375 square feet.

Funding and Cost Verification

This project is within cost. Government Code Section 15819.295, Section 3, provides \$24.0 million for land acquisition and construction of the proposed Delano II prison facility. The properties for traffic signal mitigation can be acquired within the funds available and in accordance with the intent of the Legislature.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is December, 2002.

Condition of Property

Department of General Services, Environmental Services Section (ESS) staff conducted a site visit to this property on May 14, 2002. The proposed corners have no obvious hazards that

could result in unknown future remediation costs to the State. The agency plans to install stop signs based on mitigation measures. The property is compatible with the proposed future use and considering the present site condition, a Phase 1 Site Assessment is deemed not to be necessary given the location (along a street), size of the site (tiny), and nature of building a stop light (only a small foundation and cabling).

Other:

- The State Public Works Board approved this project for site selection on June 14, 2002.
- The purchase price does not exceed estimated fair market value as determined by a Department of General Services approved appraisal.
- The Department of Corrections is not aware of any lawsuits pending concerning the property.
- There is no relocation assistance involved with these properties.
- Findings of Fact and Statement of Overriding Considerations from the Environmental Impact Report specifies this traffic mitigation requirement for the project.
- The properties will be conveyed to the City of Delano after acquisition and construction of the traffic signal improvements.

Staff Recommendation: Authorize acquisition consistent with the staff analysis.

CONSENT ITEM

CONSENT ITEM – 22

DEPARTMENT OF GENERAL SERVICES (1760)
MILITARY DEPARTMENT (8940)
BAKERSFIELD VEHICLE TRANSPORTATION UNIT
FRESNO COUNTY

Project Number MIL 014, DGS Parcel Number 9881

*Authority: Chapter 50/99, Item 8940-301-0001(3)
as re-appropriated by Chapter 52/00, Item 8940-490*

a. **Authorize acquisition consistent with the staff analysis**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 22

Department of General Services
Military Department
Bakersfield Vehicle Transportation Unit, Kern County

Action requested

The requested action will authorize acquisition consistent with the staff analysis.

Scope Description

This project is within scope. The original appropriation contemplated acquisition of a specific property with industrial/office improvements located on a 9-acre site. The scope of the project has been modified by two scope change approvals from the Public Works Board (PWB). At the January, 2001 PWB hearing, the Military Department (MIL) requested and received approval of a scope change to allow for acquisition of an alternate site. A 20-day letter from the Department of Finance regarding the scope change was sent to the Legislature on December 5, 2000 and received no response. At the February, 2002 PWB hearing, MIL requested and received approval of a scope change to allow for acquisition of approximately 20-25 acres of vacant industrial property for an armory facility to accommodate two new military transportation units. A 20-day letter from the Department of Finance regarding the scope change was sent to the Legislature on January 18, 2002 and received no response. The project provides for acquisition of land within the Bakersfield Metropolitan Area to provide parking for two vehicle transportation units of the National Guard Armory. This area provides excellent trucking routes connecting both the northern and southern portions of the State. The property identified for acquisition is comprised of approximately 19.24 acres located within the Industry Parkway Business Park in the Bakersfield Metropolitan Area, Kern County.

Funding and Cost Verification

This project is within cost. Item 8940-301-0001(3), Budget Act of 1999, as reappropriated by Item 8940-490, Budget Act of 2000, authorized \$2,125,000 for acquisition and environmental study. 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 June 20, 2002, and the waiting period expired on July 25, 2002.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is December 2002.

Condition of Property

The Department of General Services (DGS), Environmental Services Section (ESS) staff toured the Kern County property proposed for acquisition by the Military Department for their new Armory. A Phase I Environmental Site Assessment completed in August 1999, updated on October 7, 2002, reported "No visual evidence or documentation indicating any environmental concerns with the property in this report. No environmental impairments were found on the adjacent properties that would affect the property in this report." No due diligence issues were noted during the November 2001 site tour that would prevent acquisition.

Other:

- The State Public Works Board granted site selection approval on March 8, 2002 for this site, however at the time, the owner would not agree to sell the site at the estimated fair market value as determined by a Department of General Services (DGS) approved appraisal. After the State Public Works Board approved an alternate site located approximately 10 miles south of this property for site selection on June 14, 2002, the owner agreed to sell the subject site at the estimated fair market value as determined by a DGS approved appraisal. The subject site is the Military Department's top preferred site for the proposed project.
- The proposed site meets the location requirements of the Military Department.
- There is no relocation assistance involved with this project.
- The purchase price shall not exceed estimated fair market value as determined by a DGS approved appraisal.
- There is no implied dedication involved with this project.
- The site is planned for minimal site improvements and will be federally funded. Site improvements will be comprised of a combination of crushed aggregate and asphalt, barbed wire fence and light standards.
- The site is vacant and unimproved and will require completion of off-site improvements including street, curb, gutters and all utilities extended to the site. The off-site improvements will be installed and paid for by the seller.
- According to the project engineer, an on-site detention basin of approximately 1' deep over an area of approximately 1.5 acres of land area will be required on the site. The purpose of the detention basin is to delay the delivery of drainage water to the street. The basin can be designed as part of the landscaping or parking area and is considered to have minimal impact on the utility of the site based on the proposed use. The Department of Military will be responsible for the cost and installation of the detention basin.
- An aviation easement affects approximately 2.94 acres of land area at the northeast quadrant of the property and restricts land uses that interfere with the operations of the Meadow Fields airport. Construction is permitted subject to certain conditions such as compliance with Federal Aviation Administration and County rules and regulations. In consideration of the size, location, and land use restrictions, the aviation easement will have minimal impact on the utility of the site based on the proposed use.

Staff Recommendation: Authorize acquisition consistent with the staff analysis

CONSENT ITEM

CONSENT ITEM – 23

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
SOUTH OPERATIONS AREA HEADQUARTERS, RIVERSIDE COUNTY
Relocate of Facility

Authority: Chapter 106/01, Item 3540-301-0001(24)
Chapter 379/02, Item 3540-301-0660(13)

a. **Approve preliminary plans**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 23

Department of Forestry and Fire Protection
South Operations Area Headquarters, Relocate Facility

Action requested

The requested action will approve preliminary plans for this project.

Scope Description

This project is within scope. The approved project authorizes the land lease relocation and construction of a new RSS-Riverside Essential Services Headquarters Facility at March Air Reserve Base. The existing facility is to be surplus-as-is through DGS. Construction includes a 12,323 gsf Office/Command Center, a 20,973 gsf Administration Building, a 3,504 gsf Construction/Engineering Office Building, a 1,581 gsf Electrical Shop, a 2,602 gsf Mechanical Shop, a 2,775 gsf Auto Shop, a 607 gsf Groundskeeper/Hazardous Material Building, a 640 gsf Generator building, and Emergency Generator and a Communication Tower. Site work includes utilities, paving, curbs and gutters, landscaping, fencing, a fueling facility, and signs.

Funding and Cost Verification

This project is not within cost. Chapter 379/02, Item 3540-301-0660(13), Budget Act of 2002, provides \$16,401,000 for working drawings (\$1,090,000) and construction (\$16,471,000). While the preliminary plans estimate has identified a shortfall of \$1,163,000 (6.8 percent total project), the department has been directed to bring the project within budget during the working drawings phase through value engineering. Therefore, the deficit should not be recognized at this time.

\$18,367,000 total estimated project costs

\$17,204,000 total authorized project costs

\$803,000 project costs previously allocated: preliminary plans

\$16,401,000 project costs to be allocated: working drawings \$1,070,000, construction \$15,331,000 (\$10,789,000 contract, \$539,000 contingency, \$954,000 A&E costs, \$549,000 other project costs, and \$2,500,000 agency retained)

\$1,163,000 unrecognized deficit

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 9, 2002 and the waiting period expired on June 9, 2002.

Project Schedule

The project schedule is as follows:

Approve working drawings: May 2003
Complete construction: November 2005

Staff Recommendation: Approve preliminary plans and direct the department to bring the project within budget during the working drawings phase.

CONSENT ITEM

CONSENT ITEM – 24

DEPARTMENT OF BOATING AND WATERWAYS (3680)
HUMBOLDT BAY, HUMBOLDT COUNTY
Boating Instruction and Safety Center

Authority: Chapter 106/01, Item 3680-301-0516 (1)

- a. **Approve preliminary plans**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 24

Department of Boating and Waterways
Humboldt Bay, Boating Instruction and Safety Center

Action requested

The requested action will approve preliminary plans and the release of working drawing funds for this project.

Scope Description

This project is within scope. This project provides for the construction of a two story, 16,500 square foot Boating Instruction and Safety Center. The building will consist of boat storage bays, reception/entry, training rooms, conference rooms, locker/shower/restrooms, laundry, multipurpose room with kitchen, director's office, and storage and equipment rooms. Site work includes a fenced boat operations area (8,550 sf), a parking lot (10,000 sf), walkways, and landscaping.

Funding and Cost Verification

This project is within cost. Chapter 379/02 3680-301-0516 (1) appropriates \$3,822,000 for completion of working drawings and construction.

\$4,067,000 total authorized project costs

\$4,027,000 total estimated project costs

\$245,000 project costs previously allocated: preliminary plans \$245,000

\$3,822,000 project costs to be allocated: working drawings \$222,000 and construction \$3,067,000 (\$3,050,000 contract, \$153,000 contingency and \$397,000 A&E)

CEQA

A Notice of Negative Determination was filed with the State Clearinghouse on June 17, 2002 and the waiting period expired on July 17, 2002.

Project Schedule

The project schedule is as follows:

Approve working drawings: August 2003
Complete construction: November 2004

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

CONSENT ITEM

CONSENT ITEM – 25

DEPARTMENT OF PARKS AND RECREATION (3790)
TOPANGA STATE PARK, LOS ANGELES COUNTY
Immediate Public Use and General Planning

Authority: Chapter 379/02, Item 3790-301-6029(2)

a. Approve preliminary plans

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 25

Department of Parks and Recreation
Topanga State Park, Los Angeles County
Immediate Public Use and General Planning

Action requested

The requested action will approve preliminary plans and the release of working drawing funds for this project.

Scope Description

This project is within scope. This project will implement Implementation Priorities denoted in the Lower Topanga Canyon Acquisition Interim Management Plan (IMP). The project includes such items as a) control/remove invasive plant species, b) remove sources of water quality impacts, c) remove non-historic vacant structures, d) implement appropriate signage at proposed parking areas, trailheads, overlooks, sensitive resource areas, e) install trail and parking improvements f) develop small temporary trailhead and parking area with picnic tables, g) develop material to educate visitors on sensitive species, h) survey and map sensitive plants and wildlife, i) complete a feasibility study on the lagoon and creek j) facilitate supplemental water quality studies and k) initiate resource studies for the future GP Amendment efforts. These improvements will be implemented according to the Implementation Priorities listed noted within the IMP.

Funding and Cost Verification

This project is within cost.

\$800,000	total approved project costs
\$791,000	total recognizable estimated project costs
\$63,000	project costs previously allocated: studies \$25,000; preliminary plans \$38,000
\$728,000	project costs to be allocated: working drawings \$34,000, construction \$694,000 (\$610,000 contract, \$43,000 contingency, \$11,000 A&E costs \$30,000 agency

retained items) at CCCI 4019

\$9,000 estimated savings: preliminary plans \$5,000 and working drawings \$4,000

CEQA

A Notice of Determination was filed with the State Clearinghouse on August 1, 2002 and the waiting period expired on August 31, 2002.

Project Schedule

The project schedule is as follows:

Approve working drawings: March 2003

Complete construction: May 2004

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

CONSENT ITEM

CONSENT ITEM – 26

**DEPARTMENT OF PARKS AND RECREATION (3790)
BORDER FIELD STATE PARK, SAN DIEGO COUNTY**
Develop and Rehabilitate Day Use Facilities

*Authority: Chapter 106/01, Item 3790-301-0005 (23)
Chapter 379/02, Item 3790-301-0005(22)*

a. Approve preliminary plans

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 26

Department of Parks and Recreation
Border Field State Park, San Diego County
Develop and Rehabilitate Day Use Facilities

Action requested

The requested action will approve preliminary plans and the release of working drawing funds for this project.

Scope Description

This project is within scope. This project will provide more accessible and usable public day use facilities that meet current codes and demand, improve public interpretation of the resource values, and help address the deterioration of the natural resource values for which the park was established. In particular, the project will construct an addition to the Visitor Center, replace a burned down restroom, replace an unsafe entrance contact station, upgrade the beach/equestrian user parking lot, and upgrade the family picnic area, including the addition of a group picnic area.

Funding and Cost Verification

This project is within cost.

\$2,243,000 total authorized project costs

\$2,144,000 total estimated project costs

\$142,000 project costs previously allocated: preliminary plans \$142,000

\$2,002,000 project costs to be allocated: working drawings \$150,000, construction \$1,833,000 (\$1,467,000 contract, \$73,000 contingency, \$226,000 A&E costs \$67,000 agency retained items), and equipment \$19,000 at CCCI 4019

\$99,000 savings (preliminary plans)

CEQA

A Notice of Determination was filed with the State Clearinghouse on October 4, 2002 and the waiting period expired on November 3, 2002.

Project Schedule

The project schedule is as follows:

Approve working drawings: November 2003

Complete construction: April 2005

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

CONSENT ITEM

CONSENT ITEM – 27

AIR RESOURCES BOARD (3900)
HAAGEN- SMIT LABORATORY, LOS ANGELES COUNTY
Breezeway Renovation

Authority: Chapter 52/00, Item 3900-301-0115(1)
Chapter 106/01, Item 3900-301-0115(1)

- a. **Approve augmentation** **\$197,530**
(19.3 percent of construction)
(17.1 percent of total project)

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 27

California EPA-Air Resources Board Haagen-Smit Laboratory, Breezeway Renovation

Action Requested

The requested action will approve an augmentation for this project.

Scope Description

This project is within scope. The project will modify the existing Laboratory so that it can meet the increased demand for testing vehicle emissions. These modifications include the renovation of portions of the existing 40,000 gross square foot of existing Breezeway and Laboratory. Renovation includes extending roof structures, relocating mechanical equipment, increasing the cold soak capacity area, adding a temperature controlled storage area, and upgrading the H.V.A.C. and electrical systems for the remodeled portions of the building. Site work includes utility tie-ins, concrete walkways and paving. Renovated areas will have asbestos abated, lead removed, and demolition completed as required. Renovation will also include ADA modifications required to meet the minimum standards as set forth in the California Building Code, Section 1134B-Accessibility for existing buildings.

Funding and Project Cost Verification

This project is not within cost. Chapter 52/00, Item 3900-301-0115(1) provided \$271,000 for the preliminary plan and working drawing phases and 106/01, Item 3900-301-0115(1) provided \$2,199,000 for the construction phase of this project. During the working drawing phase it was discovered that additional funds would be required to comply with the ADA code requirements, which were inadvertently left out of original project description. An augmentation for additional construction costs for \$226,000 was requested. The augmentation was less than 10 percent of the amount appropriated for the project and the augmentation approval was delegated back to PWB staff. Staff approved the augmentation. Bids were opened on July 17, 2002, with a total of seven bids received. Based on the low bid of \$2,078,000, an additional \$89,460 is needed to award the contract and complete the construction phase as legislatively authorized. Because the State was without a signed budget and there was considerable uncertainty as to when it

might be signed, the State requested the Contractor to extend his “award contract” time. Unfortunately the Contractor’s subs would not agree to the State’s request. The next lowest bid would have required an augmentation that would have resulted in nearly a 20 percent increase in project costs. As a result, the State felt it was prudent to “reject all bids” and rebid. The rebid opened on September 26, 2002, with a total of six bids received. Based on the low bid of \$2,179,000, an additional \$197,530 is needed to award the contract and complete the construction phase as legislatively authorized. The cumulative value of the augmentations is \$423,530, which is 17.1 percent of the total appropriations for this project. A 20-day notification letter was sent to the Legislature on September 21, 2002. Approval of this item is contingent upon the passing of the 20-day waiting period.

\$2,893,530 total estimated project costs

\$2,696,000 project costs previously allocated: preliminary plans \$123,000; working drawings \$148,000; construction \$2,425,000 (\$1,994,000 contract; \$140,000 contingency; \$291,000 A & E) at CCCI 3943.

\$197,530 Pending augmentation: \$12,530 contingency and \$185,000 contract

CEQA

A Notice of Determination was filed with the State Clearinghouse on November 6, 2000, and the waiting period expired on December 15, 2000.

Project Schedule

The project schedule is as follows:

Complete construction: December 2003

Staff Recommendation: Approve augmentation, contingent upon the passing of the 20-day waiting period.

CONSENT ITEM

CONSENT ITEM – 28

DEPARTMENT OF CORRECTIONS (5240)
AVENAL STATE PRISON, AVENAL, KINGS COUNTY
Correctional Clinical Case Management

Authority: Chapter 379/02, Item 5240-301-0001 (7.5)

- a. **Approve use of Inmate Day Labor**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 28

Department of Corrections
Avenal State Prison, Avenal - Kings County
Correctional Clinical Case Management System

Action requested

The requested action will approve the use of Inmate Day Labor (IDL) resources pursuant to Public Contract Code Section 10103.5 for this project.

Scope Description

This project is within scope. The project is comprised of a new, single story free-standing wood framed building, which will provide approximately 1,853 gross square feet of Correctional Clinical Case Management System space, and related site improvements. The building includes offices and other support areas. Site improvements include grading, building pad preparation, utility connections, site lighting, fencing, and concrete walkways. The IDL anticipates employing 18 inmates for this project. This project is currently under the federal court master monitor pursuant to the settlement provisions of Coleman vs. Deukmejian.

Funding and Cost Verification

This project is within cost.

\$847,000 total estimated project costs

\$140,000 project costs previously allocated (preliminary plans \$47,000, working drawings \$93,000)

\$736,000 project costs unallocated: construction (contract \$440,000; contingency \$22,000; A/E \$130,000; agency retained \$144,000)

\$29,000 Bid Savings

CEQA

A Notice of Exemption was filed with the State Clearinghouse on August 7, 1998, and the waiting period expired on September 11, 1998.

Project Schedule

The project schedule is as follows:

Complete construction: September 2003

Staff Recommendation: Approve the use of Inmate Day Labor.

CONSENT ITEM

CONSENT ITEM – 29

**CALIFORNIA STATE UNIVERSITY (6610)
SAN DIEGO STATE UNIVERSITY, SAN DIEGO COUNTY
Otay Mesa Off-Campus Center**

Authority: Chapter 52/00, Item 6610-301-0001 (4.1)

- a. Authorize acquisition consistent with the staff analysis**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 29

California State University, San Diego
Otay Mesa Off-Campus Center

Action Requested

The requested action will authorize acquisition consistent with the staff analysis for this project.

Scope Description

This project is within scope. The funds will be used as California State University's (CSU) contribution to costs associated with acquisition of 38 acres by the Southwest Community College District (community college) for the development of a joint use Higher Education Center at Otay Mesa. The first phase of the project will acquire the project site, and build approximately 35,000 assignable square feet (asf) of instructional space, 10,000 asf of student services space, 5,000 asf of support space and surface parking for 1,500 cars. Pursuant to the Shared Cost Allocation Agreement between CSU and the community college, CSU will have use of 1900 asf of lecture and/or laboratory facilities at the center.

Funding and Project Cost Verification

This project is within cost. The \$1,000,000 authorized in the California State University (CSU) budget will be used in conjunction with funds provided by the community college to acquire land for the Otay Mesa Off-Campus Center. The project is funded and administered by the community college and CSU's responsibilities are set forth in the Shared Cost Allocation Agreement executed May 31, 2002.

CEQA

The community college is the lead agency for this project.

Project Schedule

The project schedule is as follows:

Construction complete: June 2005

Staff Recommendation: Authorize acquisition consistent with the staff analysis.

CONSENT ITEM

CONSENT ITEM – 30

CALIFORNIA COMMUNITY COLLEGES (6870)
RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT
Santa Ana College, Orange County
Physical Education Seismic Replacement/ Expansion

Authority: Chapter 891/01, Section 34(b), Item 6870-301-0574 (13)
Chapter 379/02, Item 6870-301-6028 (34)

- a. **Approve preliminary plans**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 30

California Community Colleges, Santa Ana College
Physical Education Seismic Replacement/ Expansion

Action Requested

The requested action will approve preliminary plans and the release working drawing funds for this project.

Scope Description

This project is within scope: The project plans both the construction of a 9,894 ASF men's physical education shower/locker facility and the renovation of 9,045 ASF in the women's shower/locker facility and the gymnasium. In addition, the construction creates 1,792 ASF of lecture space, 1,332 ASF of office space, and 6,770 ASF of physical education service space and the renovation affects 985 ASF of office space and 8,060 ASF of physical education space. Minor adjustments that do not affect project scope have been made in the design during the development of preliminary plans.

Funding and Project Cost Verification

This project is within cost.

\$5,972,000	total estimated project costs
\$225,000	project costs previously allocated: preliminary plans
\$5,747,000	project costs to be allocated: working drawings \$223,000; construction \$5,459,000 (\$4,816,000 contracts, \$269,000 contingency, \$374,000 administration, testing, inspection) at CCCI 4019, and equipment \$65,000 at EI 2564

CEQA

A Notice of Exemption was filed with the State Clearinghouse on September 9, 2002, and the waiting period expired on October 14, 2002.

Project Schedule

The project schedule is as follows:

Approve working drawings	July 2003
Complete construction	April 2005

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

CONSENT ITEM

CONSENT ITEM – 31

CALIFORNIA COMMUNITY COLLEGES (6870)
CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT
Las Positas College, Alameda County
Physical Education Complex Gymnasium – Phase I

Authority: Chapter 891/01, Section 34(b), Item 6870-301-0574 (21)
Chapter 379/02, Item 6870-301-6028 (52)

- a. **Approve preliminary plans**

APPROVED.

CONSENT ITEM

STAFF ANALYSIS – 31

California Community Colleges, Las Positas College
Physical Education Complex Gymnasium – Phase I

Action Requested

The requested action will approve preliminary plans and the release of working drawing funds for this project.

Scope Description

This project is within scope. The project constructs a 42,900 asf gymnasium complex with 17,738 asf gym, 23,742 asf training rooms, lockers, and activity rooms, 1,340 asf office and 80 asf other spaces. Design development refinements have resulted in minor space adjustments that do not affect the project scope.

Funding and Project Cost Verification

This project is within cost.

\$13,423,000 total estimated project costs

\$461,000 project costs previously allocated: preliminary plans

\$12,962,000 project costs to be allocated: working drawings \$466,000; construction \$12,015,000 (\$10,848,000 contracts, \$542,000 contingency, \$625,000 administration, testing, inspection) at CCCI 4019, and equipment \$481,000 at EI 2564

CEQA

A Notice of Determination was filed with the State Clearinghouse on August 21, 2002, and the waiting period expired on October 19, 2002.

Project Schedule

The project schedule is as follows:

Approve working drawings: December 2002

Complete construction: August 2004

Staff Recommendation: Approve preliminary plans and the release of working drawing funds.

ACTION ITEM

ACTION ITEM – 32

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
CALAVERAS BIG TREES STATE PARK, CALAVERAS COUNTY
DPR Parcel Numbers A38301, DGS Parcel Number 10134

Authority: Chapter 52/00, Item 3790-301-0001(7)

a. Consider authorizing site selection and acquisition

APPROVED.

ACTION ITEM

STAFF ANALYSIS – 32

Department of General Services
Department of Parks and Recreation
Calaveras Big Trees State Park

Action requested

The requested action is for the board to consider authorizing site selection and acquisition.

Scope Description

This project is within scope. The Legislature has approved funding from the General Fund for inholding acquisitions at existing state parks. This request will authorize site selection and acquisition of approximately 1.0 acre within the perimeter of the Calaveras Big Trees State Park. This small acquisition will eliminate problems associated with private ownership within the park and the passage of time will result in the area returning to its natural state. The property would be encumbered with a use restriction limiting the use of the land for public park purposes and limiting the state's ability to sell the land.

Funding and Cost Verification

This project is within cost. Chapter 52/00, Item 3790-301-0001(7) provides funding to purchase in holdings to the State Park System. The property can be acquired within the funds available and in accordance with Legislative intent.

\$13,050 total project costs

\$2,500 project costs previously allocated (DGS staff costs)

\$10,550 project costs to be allocated: \$10,000 acquisition and approximately \$550 in overhead costs

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 31, 2002, and the

waiting period expired on March 7, 2002.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is in December of 2002.

Condition of Property

Department of General Services (DGS) Environmental Services Section (ESS) staff conducted a site visit to the Calaveras Big Trees property, located in Calaveras County, California, near Big Trees State Park on September 26, 2002. The site contains a log cabin built by the current landowner, one outbuilding, and a wood platform that was most likely the base of an old outhouse. No hazardous wastes or uncontained hazardous materials were found on site other than household trash, e.g., paint cans, glass jugs, old furniture, etc. These materials could be readily cleaned up and disposed of at a household hazardous waste collection facility. No utilities, i.e., electric, gas, water, etc., have been added to the site. The surrounding parcels are undeveloped and do not contain improvements (industrial uses, fuel storage, waste disposal, unknown debris, etc.) that would raise a concern for migration of hazardous materials. Given the current condition of the subject property, its prior land use, and the unimproved state of the surrounding parcels, ESS staff recommends that a Phase I Site Assessment is not necessary.

No potential problems with hazardous materials (other than the aforementioned household waste) were observed during the site visit and the property is compatible with the proposed future use.

Other:

- The property being acquired is encumbered with a use restriction which would not allow for private uses, in that the restriction limits the use to "public park purposes." Specifically, the use restriction states, "the property shall be held in trust for public park purposes on behalf of the people of California provided that the State of California may grant concessions, franchises, easements, and leases upon said property for purposes consistent with the use and preservation thereof for public park purposes".
- The offer price for this property with the public park use exceeds the estimated fair market value as determined by a DGS approved appraisal of the property subject to this deed restriction.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The property acquisition agreement will require delivery of clear title to the State.
- The property is improved with an old cabin and storage/outhouse building, and DPR plans to demolish the structures in the future.
- There is no relocation assistance involved with this project.
- There will be no additional expenses for the immediate public use of the acquisition.
- Future staffing pertaining to this property will be absorbed within DPR's existing support budget.

Staff Recommendation: Consider authorizing site selection and acquisition.

ACTION ITEM

ACTION ITEM – 33

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
MACKERRICHER STATE PARK – GLASS BEACH PROJECT, MENDOCINO COUNTY
DPR Project A39800, DGS Parcel 10138

Authority: Chapter 50/99, Item 2660-101-0890 (see discussion in the funding and cost verification section)
Chapter 52/00, Item 3760-302-0005(2)(S)
Chapter 655/93
Chapter 379/02, Item 3790-301-6029(6)

- a. **Consider authorizing site selection and acquisition**

APPROVED.

ACTION ITEM

STAFF ANALYSIS – 33

Department of General Services
Department of Parks and Recreation
MacKerricher State Park – Glass Beach Project - Mendocino County

Action requested

The requested action is for the board to consider authorizing site selection and acquisition for this project.

Scope Description

This project is within scope. The State Coastal Conservancy (SCC) received an appropriation to acquire, restore and improve scenic habitat and recreational lands along the Mendocino Coast. The Department of Transportation (DOT) receives an appropriation through the Conservation Lands portion of the Transportation Enhancement Activities (TEA) Program for the acquisition of scenic lands and wildlife corridors, which is allocated through the California Transportation Commission (CTC). Specifically this portion of the TEA program is intended to fund large scenic land acquisitions of statewide interest and priority along transportation corridors for those lands that have a high value for conservation habitat. Projects that are adjacent to habitat mitigation bank lands are given highest priority. The Department of Parks and Recreation (DPR) has an appropriation that can be used for high priority additions to the State park system. The California Integrated Waste Management Board (CIWMB) receives an appropriation to cleanup solid waste when a public entity with no prior responsibility takes over a former waste disposal site for public benefit. This project provides for the acquisition of approximately 38 acres of oceanfront property consistent with outdoor recreation and public beach access along the Mendocino Coast. The property qualifies for and is likely to receive grant funds from CTC and from the SCC. In addition, the CIWMB has agreed to contribute toward the clean up costs of the parcel as part of the acquisition provided a commitment is made that DPR will acquire the property.

Funding and Cost Verification

This project is not within cost. Chapter 52/00, Item 3760-302-0005(2)(S) provides funding from Proposition 12 that can be used for grants to support projects such as this acquisition. The SCC authorized disbursement of some of these funds to DPR to acquire Glass Beach on October 31, 2002. Chapter 50/99, Item 2660-101-0890 provides federal funding that can be used for grants to support projects of this nature. A grant was approved for this project from this funding source on May 11, 2000. This appropriation is no longer valid and the SCC has requested from the DOT an extension of time for the grant and the Department of Transportation will be applying to the CTC for a technical adjustment to charge the appropriation. Chapter 379/02, Item 3790-301-6029 (6) provides funding from Proposition 40 to be used for high priority acquisitions such as this. These funds will be used to address DPR's overhead costs. Chapter 655, Statutes of 1993 provided funding from the Solid Waste Disposal Site Cleanup Trust Fund that can be used to provide clean up contaminated property. The CIWMB has agreed to provide funding to this project from this funding source to ensure that the acquisition is permitted provided there is a commitment from the PWB to allow DPR to accept the property if all the clean up is successful and other conditions are met.

CEQA

A Notice of Exemption under the California Environmental Quality Act (CEQA) was filed with the State Clearinghouse on November 1, 2002, and the waiting period will expire on December 6, 2005.

National Environmental Policy Act (NEPA) clearance was granted October 29, 2002.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is May 2003.

Condition of Property

The Department of General Services (DGS) Environmental Services Section (ESS) staff conducted a site visit to "Glass Beach" on March 29, 2002, located along the coast in Fort Bragg, CA. During the 1950s and 60s, Glass Beach was the site of the Fort Bragg town dump. Consequently, the Glass Beach site contains a range of solid waste contamination, such as, household trash, scrap metal, old car and appliance parts, bottles, cans, chunks of cement, and bits of asphalt. Approximately 1900 cubic yards of buried refuse is present in two areas of the site (Area I - 900 cu yds; Area II - 1000 cu yds). Oil and tar residue have been deposited on the rocks near the shore and beach area. While remediation and cleanup efforts are important, consideration should be given to the potentially significant impacts to the historic nature of "Glass Beach".

A Modified Phase I Environmental Assessment (Dec 1998) was prepared by Dannatt and Associates of Fremont, CA. This report indicates it is possible that hazardous materials were discharged into the ocean or into the limited landfill area, which still exists at the property. Glass, metal, rubber and other inert materials were observed in the bluff face and beach area below the northernmost dump area. Concrete and wood debris are located in two areas on the northern portion of the property. None of the debris observed is expected to result in significant impacts to human health or the environment. Testing would be necessary to determine whether residual chemical compounds are present in subsurface areas, which may pose a risk. There were no indications of hazardous materials on the property at the time of the site inspection (Nov. 1998) but the subject site was listed in the CERCLIS database as having had several capacitors. One capacitor leaked, causing PCB contamination, which was excavated and

disposed of off site. The case was marked closed. The subject site was also listed in the CA Integrated Waste Board's database, and is listed as closed. It is recommended that soil and groundwater samples be analyzed for dangerous hazards identified as possible contaminants in a 2000 Phase 1 report. Removal of the concrete and wood rubble currently stockpiled in this area could be removed as a safety precaution.

Site mitigation measures for the contamination that is present include removal through excavation or capping of the contaminated areas. Excavation would be effective in removing the source area contamination, but quite destructive to the impacted areas. Additional fill material and capping with asphalt would reduce the potential for human exposure to the refuse. Bluff areas where refuse is exposed would require the design and installation of a retaining wall to cover and contain the exposed refuse, resulting in long term monitoring and site maintenance. Clean closure would be a desired outcome, but cleanup efforts may adversely effect the historic nature of the site by removing the continual "glass supply" of the bits of smooth colored glass "rocks" collected by visitors and locals alike.

Other

- The purchase price does not exceed the estimated fair market value as determined by a DGS approved appraisal.
- There are no tenants on the property and there are no relocation assistance benefits involved with this project.
- DPR estimates a need for an additional 1.5 positions and ongoing costs of \$265,000 for personal services, operating expenses and equipment. These staff would pick up litter, remove exotic species, protect and stabilize archeological midden sites, eradicate and construct trails, protect wetlands, repair fences, construct signs, engage in activities to protect endangered and threatened species, clean and stock chemical toilets, patrol for law enforcement violations of the criminal code, business and professions code, fish and game code, park code, protect archeological and historic resources, give interpretive programs and hikes on site, and provide emergency rescue and medical response. According to DPR, included in the above cost estimate are on-time costs of \$65,000 for equipment such as two utility vehicles and an enforcement radio. Given continued weakness in State revenues and necessary expenditure adjustments for 2002-03, DPR does not have the resources to address additional costs. Although an augmentation request would be evaluated through the normal budget process, Finance would not recommend additional support expenditures if continued revenue forecasts fail to project short-term growth and additional program reductions become necessary. If no additional funding is provided, DPR has indicated that visitors will have access to the property on their own and will be responsible for obeying the rules and regulations of the park but other services, such as patrol, restrooms, parking, trails, and picnic tables, will not be available.
- DPR is aware of a lawsuit pending on the property concerning an implied dedication claim for recreational and public access. The appraisal discussed the pending litigation and took into account the implied dedication claim. The Coastal Conservancy has told DPR that this action has been delayed by the plaintiff and will be dropped if the property transfers to DPR and written confirmation is being sought.
- The property acquisition agreement will require delivery of clear title to the property.
- Prior to the current ownership, portions of the real property were contaminated through its use as the Fort Bragg Dump. The property contains certain concrete structures built in conjunction with its use as a dump, and also contains illegally disposed wood and concrete debris. The North Coast Regional Water Quality Control Board (NRWQCB) and the California Integrated Waste Management Board (CIWMB) amended and approved a Remedial Action Plan and Addendum on August 9, 2002 (RAP), towards remediation of these adverse site conditions although the standard restrictive covenants associated with TEA grants will be part of this acquisition.

- The property owner will contribute \$100,000 toward cleanup of the site to the level required by the existing zoning. The CIWMB will provide up to an additional \$600,000 to remediate the site to a standard suitable for park use contingent on receiving approval from PWB for the land transfer to DPR. The CIWMB contribution is also contingent upon completion of the remediation prior to expiration of the TEA grant acquisition funding on September 2003. The remediation work may require between 14 to 24 weeks.
- There is a high likelihood that the State's standard indemnification clause will be modified for this acquisition.

Staff Recommendation: Consider authorizing site selection and acquisition for this project contingent on:

- **CTC approval of a technical adjustment to the funding source at its December meeting;**
- **The dismissal with prejudice of the lawsuit concerning the implied dedication claim (Glass Beach Headlands Access Committee vs. Trustees of the William J. Blinn Trust, Mendocino Superior Court Case #SCUKCVG 1997 7779) concurrent with the close of escrow and no other litigation is pending related to the property;**
- **Satisfaction of CEQA requirements for the proposed acquisition, and the expiration of the filing period without any comment; controversy, or litigation;**
- **CIWMB implements the RAP and the NCRQCWB provides written confirmation that the conditions of the Waste Discharge Requirements for the William J. Blinn Trust, Glass Beach Property (former Fort Bragg Dump), have been satisfied and will result in clean closure of the solid waste disposal site with no ongoing monitoring requirements;**
- **Removal of all identified concrete retaining structures and illegally disposed wood and concrete debris from the Property;**
- **Removal of all illegally disposed wood and concrete debris;**
- **There shall be no cost to DPR for any site remediation activities; and**
- **The owner is a willing seller and makes a binding commitment to sell the property to DPR consistent with the terms and price presented to PWB staff.**

ACTION ITEM

ACTION ITEM – 34

PUBLIC WORKS BOARD ADMINISTRATIVE ACTION DELEGATION OF SITE SELECTION FUNCTION TO STAFF

- a. **Adopt a resolution to delegate the site selection function to staff for those acquisition items that meet specified criteria**

APPROVED.

ACTION ITEM

STAFF ANALYSIS – 34

Public Works Board Administrative Action
Delegation Of Site Selection Function To Staff

Action requested

The requested action will adopt a resolution to delegate the site selection function to staff for those acquisition items that meet specified criteria.

Description

Currently the Board practices a two-step process for State acquisitions. The two steps consist of site selection and site acquisition. After the State has located a property that (1) meets the needs of the program, (2) is consistent with the description presented to the Administration and Legislature in support of the appropriation, and (3) has undergone some preliminary due diligence review, an item is presented to the Board and the Board is asked to approve the selection of the site. Once the Board approves site selection, the State can pursue formal negotiations with the landowner. After negotiations are complete and additional due diligence is performed, a second item is presented to the Board for site acquisition. In an effort to streamline the process and expedite the completion of acquisitions, the Board is being asked to delegate to staff the approval of site selection for acquisitions that are deemed to be straightforward. The two-step process would still remain in place, but rather than going before the Board for formal approval of site selection, Public Works Board staff would approve site selection for those acquisitions that do not have issues requiring Board attention. Board approval would continue to be required prior to acquisition. In addition, those acquisitions that appear to have policy issues would continue to be presented to the Board for site selection prior to allowing the State to enter into formal negotiations.

Approval of this resolution would not be in violation of statute. Although Government Code 15853 requires the Board to acquire land for most State entities, the code section does not require the Board to select the land. Rather, the code section reads, “the Board may select... the fee or any lesser right or interest in any real property necessary for any state purpose or function.” If this resolution were approved, the Board would still be required to approve acquisitions.

Each acquisition would be looked at individually and judgment would be used to determine if an acquisition would require Board attention at the site selection phase. The Board would only be asked to approve site selection on projects either requiring a policy discussion or for those projects that staff are likely to recommend against acquisition. In general, projects meeting the following criteria would not require Board involvement:

- There is either no evidence of contamination or there is an acceptable remediation plan in place to address the contamination that has been identified.
- There are no unusually significant title exceptions that could prevent staff from recommending approval of acquisition.
- There are no unusual significant unrecorded land reservations or restrictions that could prevent staff from recommending approval of acquisition.
- The acquisition would not require special legislation.
- It is clear that the funding source being used for the acquisition is being used in a manner that is appropriate and is consistent with Legislative intent.
- There is no known controversial issues or public concern over the acquisition that would merit early involvement of the Board.
- It appears that there is reasonable evidence that any lawsuits pending on the property will be resolved prior to State acquisition.

Staff Recommendation: **Adopt a resolution to delegate the site selection function to staff for those acquisition items that meet specified criteria.**

OTHER BUSINESS

REPORTABLES

Respectfully Approved,

JAMES E. TILTON
Administrative Secretary