



CALIFORNIA STATE
PUBLIC WORKS BOARD

ARNOLD SCHWARZENEGGER, GOVERNOR

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

STATE PUBLIC WORKS BOARD
July 14, 2006 Meeting
MINUTES

PRESENT:

Ms. Anne Sheehan, Chief Counsel, Department of Finance
Mr. Ron Joseph, Director, Department of General Services
Ms. Windie Scott, Deputy Controller, State Controller's Office
Mr. Francisco Lujano, Director Securities Management Division, State Treasurer's Office

ADVISORY MEMBER:

Director, Employment Development Department

LEGISLATIVE ADVISORS:

Assembly Member
Assembly Member Wilma Chan
Assembly Member Lloyd E. Levine
Senator Gilbert Cedillo
Senator Wesley Chesbro

STAFF PRESENT:

Brian Dewey, Assistant Administrative Secretary, Public Works Board
Teresa Bierer, Assistant Administrative Secretary, Public Works Board
Stephen Benson, Budget Analyst for the Department of Finance
Christina Ahn, Budget Analyst for the Department of Finance
Jared Ingram, Budget Analyst for the Department of Finance
Koreen Hansen, Budget Analyst for the Department of Finance
Stan Hiuga, Budget Analyst for the Department of Finance
Jacqueline Sapp, Budget Analyst for the Department of Finance
Matt Schuller, Budget Analyst for the Department of Finance
Henry Nanjo, Legal Counsel, State Public Works Board

OTHERS PRESENT:

Darlene Masten, California Department of Corrections and Rehabilitation
Sabrina Winn, Department of General Services; RESD, PSB
Patrick Rogers, Department of Parks and Recreation
David Wrightsman, Department of Parks and Recreation
Bill Dohring, Offroad Business Association, Imperial County,
Walt Santua, Department of Parks and Recreation
Kelley DiPrith, Department of Parks and Recreation
Marianne Wetzel, Department of General Services; PWB
Richard Myreen, Department of General Services, Project Manager Branch

Pete Conaty, Pete Conaty & Associates, Offroad Business Association
Dale Clevenger, California Community Colleges
Michelle Abstor, Department of Corrections and Rehabilitation
John Spain, Department of Corrections and Rehabilitation
Liz Yokoyama, Department of General Services
Marianne Wetzel, Department of General Services
Warren Westrup, Department of Parks and Recreation
Liz Stellar, Department of Parks and Recreation

CALL TO ORDER AND ROLL CALL:

Ms. Anne Sheehan, Chairperson of the SPWB and Chief Deputy Director for the Department of Finance, called the meeting to order at 2:00 p.m. Brian Dewey, Assistant Administrative Secretary for the State Public Works Board, called the roll. A quorum was established. No representative for the Department of Transportation was present.

The minutes were adopted and approved for the June 12th and 23rd meetings after noting some technical changes to the Board's copy version of the minutes. In the June 12th minutes there was a change to the funding Authority of Consent Item #5 regarding the Department of Parks and Recreation Site Selection in Humboldt Redwoods State Park

A motion was made by Mr. Joseph and Second by Ms. Sheehan to adopt the minutes for the June 12th and 23rd, 2006 PWB meetings

The Minutes were adopted by a 4-0 vote.

It was then noted that amendments were made to the July 14th agenda as well in order to reflect the actual 2006 Budget Act citations. They are shown with strikethroughs and lighter shaded add-ons in the Authority area of the Items

BOND ITEMS:

Mr. Dewey stated that there were 6 bond items.

Bond Item #1 was for the Department of General Services' and Department of Transportation's *Marysville Office Building Replacement Project* in Yuba County. The requested action would adopt a resolution authorizing actions to be taken to provide for of interim financing and authorizing the sale of lease revenue bonds. Mr. Dewey noted that approval was also contingent upon CalTrans signing the bond resolution. Staff recommended adoption and approval of the resolution.

A motion was made by Mr. Lujano and Second by Mr. Joseph to approve Bond Item #1.

Bond Item #1 was approved by a 4-0 vote.

Bond Item #2 was for the California Conservation Corps' *Camarillo Satellite Relocation/Construction Project* in Ventura County. The requested action would adopt a resolution authorizing actions to be taken to provide for of interim financing and authorizing the sale of lease revenue bonds. The approval of this item was also contingent on the approval of Consent Item #13. Staff recommended adoption and approval of the resolution.

A motion was made by Mr. Joseph and Second by Mr. Lujano to approve Bond Item #1.

Bond Item #2 was approved by a 4-0 vote.

Bond Item #3 was for the Department of Forestry and Fire Protection's, *Weaverville Forest Fire Station Relocate Facility Project* in Trinity County. The requested action would adopt a resolution authorizing actions to be taken to provide for of interim financing and authorizing the sale of lease revenue bonds. Staff recommended adoption and approval of the resolution.

A motion was made by Mr. Joseph and Second by Ms. Scott to approve Bond Item #3.

Bond Item #3 was approved by a 4-0 vote.

Bond Item #4 is for the Department of Forestry and Fire Protection's, *Elk Camp Forest Fire Station Relocate Facility Project* in Humboldt County. The requested action would adopt a resolution authorizing actions to be taken to provide for of interim financing and authorizing the sale of lease revenue bonds. Staff recommended adoption and approval of the resolution.

A motion was made by Mr. Lujano and Second by Mr. Joseph to approve Bond Item #4.

Bond Item #4 was approved by a 4-0 vote.

Bond Item #5 was for the Department of Corrections and Rehabilitation's, *California Medical Facility, Mental Health Crisis Beds Project* in Solano County. The requested action would adopt a supplemental resolution authorizing actions to be taken to provide for interim financing and the sale of lease revenue bonds consistent with increased project authority. Staff recommended adoption and approval.

A motion was made by Mr. Joseph and Second by Ms. Scott to approve Bond Item #5.

Bond Item #5 was approved by a 4-0 vote.

Bond Item #6 was for the University of California's, *Berkeley Campus Davis Hall North Replacement Building Project* in Alameda County. The requested action would adopt a supplemental resolution authorizing actions to be taken to provide for interim financing and the sale of lease revenue bonds consistent with increased project authority. Staff recommended adoption and approval.

A motion was made by Mr. Lujano and Second by Mr. Joseph to approve Bond Item #6.

Bond Item #6 was approved by a 4-0 vote.

Ms. Sheehan thanked the delegates from the State Treasurer's Office and State Controllers Office and said members left.

CONSENT CALENDAR:

Mr. Dewey asked that Consent Item #11 be put aside for separate discussion; then stated the Consent Calendar would cover Items numbered 7 through 31 excluding Item #11. Mr. Dewey summarized them as follows:

- 1 request to authorize site selection, [7]
- 4 requests to authorize acquisition, [8,9,10, and 12]
- 1 request to approve augmentation, [14]

- 1 request to approve augmentation and recognize anticipated deficit, [13 [This was the item tied to Bond Item #2](#)]
- 2 requests to approve the use of Inmate Ward Labor for projects, [15,16]
- 3 requests to approve preliminary plans and recognize an anticipated deficit, [17,18,19]
- 12 requests to approve preliminary plans, [20 thru 31]

There was **one** 20-day letter for this agenda. The letter was for:

Item # 14, Department of Parks and Recreation, for the Public Underground Tour Project in the Boating in the Empire Mine State Historic Park in Nevada County

—The letter, to approve augmentation to the construction phase of this project, was sent to the appropriate Legislative Committees on June 23, 2006. The Joint Legislative Budget Committee requested that the 20-day be extended to allow additional time for their review. Therefore, the approval of this item was contingent upon the resolution of any outstanding issues.

In summary: staff recommended approval of the **Consent Calendar** consisting of Items numbered 7 through 31, excluding item #11.

Ms. Sheehan asked if there was any public to comment on these items?
There was no response.

A motion was made by Mr. Joseph and Second by Ms. McKim to approve the Consent Calendar

The Consent Calendar was approved by a 2-0 vote.

Mr. Dewey then told about Consent Item #11, which was set aside to give the Board a more in depth explanation and further discussion. This item was for site selection approval of approximately 4,000 acres as an addition to the 600,000 acre Anza Borrego State Park and the 75,000 acre Ocotillo Wells SVRA – Desert Cahuilla, in Imperial County.

Mr. Dewey stated on July 10, 2006, the Board received a letter from the Anza Boreggo Foundation due to concerns over the interim use of the property. The Foundation had requested off-highway vehicle use of this property be prohibited until the public planning process had been completed.

Mr. Dewey further stated that it should be noted that state does not own this property and was not in a position to prohibit off-highway vehicle use at this time. This item would approve site selection and would allow Parks to negotiate the future acquisition of this property. At such time Parks will request acquisition approval from the Board and would be able to consider the proposed future use of this property.

Mr. Warren Westrup, Acquisition Chief for State Parks and Recreation, described the property in question. Mr. Westrup testified that there was consensus between the environmental community and the off-highway vehicle community that the property needs to be preserved in public open space with recreational use compatible with the natural and cultural resources on the property. This property if approved will be put through a planning process with input from all parties. There is also a interim plan to keep the property in its present state consistent with the

natural and cultural resources to be used as it has historically been used previously with limited recreational use.

Ms. Sheehan asked for anybody else from the public would you like to speak.

Mr. Bill Dohring, representing Imperial County, asked that the Board made sure that the property remains open to the public during the interim management time period.

Mr. Pete Conaty, representing five different off-road recreation groups, gave copies of a letter signed by 26 legislators supporting DPRs acquisition of this property.

A motion was made by Mr. Joseph and Second by Ms. Sheehan to approve the Consent Item #11

The Consent Item #11 was approved by a 2-0 vote.

ACTION ITEMS

Mr. Dewey stated that staff was withdrawing from this agenda, Action Items 33 and 34 dealing with the Nelles Surplused Land Determination and Sale at the request of the Department of General Services. This left one Action Item, Number 32 that concerned the Coast Dairies Acquisition Project for the Department of Parks and Recreation.

Mr. Dewey stated that staff recommended approval of this acquisition, Parks had been asked to give the Board a brief overview of this project, including the extent to which certain liabilities associated with the property may still exist, what actions and agreements were in place to mitigate the risks, and finally, how the significance of this project outweighed the potential liabilities.

Mr. Warren Westrup, Acquisition Chief for State Parks and Recreation, started by giving a description and history of the property in question. The Trust for Public Land (TPL) brought in three parties; Bureau of Land Management (BLM), State Park (DPR) and a non-profit company called Agri-Culture, together to work together to make plans to manage the property in it's entirety. A number of issues were brought up:

Five Leases (3) agriculture,
(1) Oyster farm,
(1) Residential;

An on-going mediation effort concerning the Fambrini Farm portion of the property.
1/3 acre area testing wells that need hydrocarbon cleanup (approx 3 yrs time; 3 party collateral agreements with TPL, Coast Dairies, and DPR to ensure cleanup by Coast Dairies)

Mr. Westrup gave an overview of each issue and didn't think there would be any major difficulties and considered this acquisition a low risk to the state. Mr. Westrup thanked staff and other parties that helped bring this acquisition today.

A motion was made by Mr. Joseph and Second by Ms. Sheehan to approve Action Item 32

Action Item 32 was approved by a 3-0 vote.

OTHER BUSINESS:

Ms. Sheehan stated there was no other business for the Board so we would move on to the reportables.

REPORTABLES:

Mr. Dewey said that there was **six** reportable items for this month that staff has approved under authority delegated by the Board.

NEXT MEETING:

Mr. Dewey stated that the next regularly scheduled meeting had been originally set for **Friday, August 11, 2006, at 10:00 AM, at the State Capitol, Room 113. Due to schedule conflicts the meeting will need to be moved.**

Ms. Sheehan asked if there were any comments or questions from the public.
No answer was forthcoming

Ms. Sheehan adjourned the meeting at 2:40.

AGENDA AND STAFF ANALYSIS

**NOTICE OF MEETING
STATE PUBLIC WORKS BOARD
Friday
July 14, 2006**

The **STATE PUBLIC WORKS BOARD** will meet on, **Friday July 14, 2006, at 2:00 p.m. in Room 113 in the State Capitol, Sacramento, California.** In accordance with provisions of Section 11125 of the Government Code, a copy of the Agenda is attached.

Karen Finn
Administrative Secretary

Attachment

STATE PUBLIC WORKS BOARD

**Friday
July 14, 2006
2:00 p.m.
Room 113
State Capitol
Sacramento, California**

I. Roll Call

Michael C. Genest, Director, Department of Finance
Ron Joseph, Director, Department of General Services
Cindy McKim, Deputy Director, Department of Transportation
State Controller's Office
State Treasurer's Office
Director, Employment Development Department
(Advisory Member)

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Assembly Member, Legislative Advisor
Assembly Member, Wilma Chan, Legislative Advisor
Assembly Member, Lloyd E. Levine, Legislative Advisor
Senator, Wesley Chesbro, Legislative Advisor
Senator, Gilbert Cedillo, Legislative Advisor
Senator, Legislative Advisor

H. Approval of minutes from the June 12, 2006, June 23, 2006 and ~~July 6, 2006~~
~~meetings.~~

(July 6, 2006 Meeting Cancelled)

Report on conditional approvals of previous meetings.

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BOND ITEM

BOND ITEM – 1

**DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF TRANSPORTATION (2660)
MARYSVILLE OFFICE BUILDING REPLACEMENT
YUBA COUNTY**

*Authority: Chapter 379/02, Item 2660-311-0042(1)(b)
Chapter 157/03, Item 1760-301-0660(2)
as reappropriated by Chapter 208/04, Item 1760-490(1)
as reappropriated by Chapter 38 & 39/05, Item 1760-490(3)
as supplemented by Chapter 38 & 39/05, Item 1760-301-0660(3)*

Adopt resolution to:

1. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of 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/or the Department of Transportation and the State Public Works Board.
5. Authorize the sale of the State Public Works Board Lease Revenue Bonds.

Total Estimated Bond Authorization:

\$65,157,000

APPROVED 4/0

BOND ITEM

STAFF ANALYSIS ITEM – 1

Department of General Services
Department of Transportation
Marysville Office Building Replacement
Yuba County

Action requested

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

Scope Description

This project is within scope. The Marysville Office Building Replacement Project (Project) for the Department of Transportation (DOT) Area 3 consists of a new 230,000 gross square feet office building with 708 parking spaces, (with a portion of the parking to be located on the acquired parcel), located in downtown Marysville. The Project was designated to utilize the design-build method of project delivery pursuant to Government Code (GC) Section 14661. A scope change in regards to the particular off-site parcel to be purchased and a reduction in the parking count from 708 spaces to 440 spaces, was approved by the Public Works Board in January 2005. Approximately 350 spaces would be located on the existing site along with the new building. Approximately 90 spaces would be constructed on the off-site acquisition parcel.

The 2003 Budget Act authorized the design-build delivery method in provision 10 of Item 1760-301-0660. Authorization can also be found in clause (i) of subparagraph (B) of paragraph (3) of GC Section 14661. Public Works Board approval of the Performance Criteria and Concept Drawings on January 13, 2006 allowed the design-build competition to commence.

Funding and Cost Verification

This project is within cost. Item 2660-311-0042(1)(b), Budget Act of 2002, appropriated \$2,264,000 for acquisition and preliminary plans. Item 1760-301-0660(2), Budget Act of 2003, appropriated \$56,575,000 for construction, and was reappropriated by Item 1760-490(1), Budget Act of 2004 and by Item 1760-490(3), Budget Act of 2005. Item 1760-301-0660(3), Budget Act of 2005, appropriated an additional \$8,582,000 for construction. An additional augmentation for \$5,764,000 was approved through delegation on May 15, 2006 (EO 05/06 105, June 15, 2006) in order to accommodate increased costs associated with the construction. Total authorized project costs are \$73,185,000; of that amount, \$2,264,000 is State Highway Account and \$70,921,000 is lease revenue bond financed.

No change in project cost has occurred since the augmentation of \$5,764,000 for the construction phase funding was approved in May 2006.

The prospective design-build teams have signed a certification attesting to that fact that they can build the project for the stipulated sum offered by the state.

- \$73,185,000 total authorized project cost
- \$73,185,000 total estimated project cost
- \$ 2,264,000 project costs previously allocated: acquisition \$775,000; preliminary plans \$1,489,000
- \$70,921,000 project costs to be allocated: construction \$70,921,000 (\$63,885,000 contract, \$1,857,000 contingency, \$3,137,000 A&E costs, and \$2,042,000 agency retained items)

CEQA

The project requires an Environmental Impact Report (EIR). The 30-day litigation period for the Final EIR ended on November 2, 2005. One legal challenge was filed in California Superior Court in Yuba County during the litigation period. This action is being addressed by the Office of the Attorney General in conjunction with legal counsel from both DGS and DOT. The final outcome of this action is unknown at this time.

Due Diligence

Due diligence is complete pending the adoption of utility and road easement abandonment's by the City of Marysville which is predicated on City approval of underground utility relocation plans to be developed by the contracted design-build team.

Project Schedule

The project schedule is as follows:

Issue design-build solicitation package:	January 2006
Complete acquisition of off-site parcel:	June 2006
Award design-build contract:	June 2006
Complete building construction:	July 2008

Staff Recommendation: Adopt resolution

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BOND ITEM

BOND ITEM – 2

**CALIFORNIA CONSERVATION CORPS (3340)
CAMARILLO SATELLITE, RELOCATION/CONSTRUCTION
VENTURA COUNTY**

*Authority: Chapter 52/00, Item 3340-301-0001(1);
Chapter 106/01, Item 3340-301-0660(1),
as partially reappropriated by Chapter 379/02, Item 3340-490,
as partially reverted by Chapter 38/05, Item 3340-495;
Chapter 38/05, Item 3340-301-0660(2);*

Adopt a resolution to:

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

Total Estimated Bond Authorization:

\$15,960,000

APPROVED 4/0

BOND ITEM

BOND ANALYSIS – 2

California Conservation Corps
Camarillo Satellite Relocation/Construction
Ventura County

Action requested

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

Scope Description

This project is within scope. The project includes the construction of a new facility of a new California Conservation Corps residential facility of approximately 48,600 square feet that would replace its existing satellite facility on the California State University Channel Islands campus in Ventura County. The proposed new facility would consist of an administration building, educational and recreational buildings, four residential buildings, a multi-purpose building, a hazardous materials storage building, and a warehouse. Additionally, development of the site would include 20,000 square feet of paved surfacing for service & staging areas, walkways, driveways, and parking. The new facility would accommodate up to 104 corpsmembers and 35 employees.

Funding and Cost Verification

This project is not within cost. Item 3340-301-0001(1), Budget Act of 2000, appropriated \$526,000 for preliminary plans. Item 3340-301-0660(1), Budget Act of 2001, appropriated \$10,865,000 for working drawings and construction, as partially reappropriated by Item 3340-490, Budget Act of 2002, and partially reverted by Item 3340-495, Budget Act of 2005. Item 3340-301-0660(2), Budget Act of 2005, appropriated a total of \$15,379,000 in lease revenue bonds for working drawings and construction, as reappropriated by Item 3340-490, Budget Act of 2006. Two separate augmentations were approved in order to incorporate LEED design and comply with updated Title 24 standards (\$159,000 on January 18, 2006 via delegation and \$206,000 via a separate Consent Item contained within this agenda). Total authorized project costs are \$16,486,000; of that amount, \$526,000 is General Fund and \$15,960,000 is lease revenue bond financed. It should be noted that \$526,000 in excess project authority is available for reversion. The recognized anticipated deficit of \$426,000 represents the difference between the estimated and actual project costs, minus the excess project authority available for reversion.

\$16,486,000 total authorized project cost

\$17,438,000 total estimated project cost

\$1,321,000 project costs previously allocated: preliminary plans \$526,000; working drawings \$795,000

\$16,117,000 project costs to be allocated: working drawings \$206,000, construction (\$13,802,000 contract, \$690,000 contingency, \$1,419,000 A&E)

\$526,000 additional project authority

\$426,000 recognized anticipated deficit

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 10, 2001, and the waiting period expired on June 8, 2001.

Due Diligence

Summary of Conditions of Title/Due Diligence clearance document was issued to the State Public Works Board on July 25, 2002. The preliminary report indicates a total of twelve (12) exceptions to the title. Each of the exceptions is described in the report, and the findings for each is that they do not adversely impact the quiet enjoyment of the property for the bond-financed facility.

Project Schedule

The project schedule is as follows:

Complete construction: June 2007

Staff Recommendation: Adopt resolution contingent on approval of Consent Item #13

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BOND ITEM

BOND ITEM – 3

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
WEAVERVILLE FOREST FIRE STATION, RELOCATE FACILITY
TRINITY COUNTY**

*Authority: Chapter 208/04, Item 3540-301-0660 (3)
~~Chapter xxx/06, Item 3540-301-0660 (1.5)~~
Chapter 47 and 48/06, Item 3540-301-0660 (1.5)*

Adopt a resolution to:

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

Total Estimated Bond Authorization:

\$2,942,000

APPROVED 4/0

BOND ITEM

STAFF ANALYSIS ITEM – 3

Department of Forestry and Fire Protection
Weaverville Forest Fire Station Relocate Facility
Trinity County

Action requested

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

Scope Description

This project is within scope. The approved project authorizes the construction of a standard one-engine forest fire station, including an 8-bed barracks/mess hall building (2,376 sf), a two-bay apparatus building (1,697 sf), a detached administrative office (900 sf), a flammable storage building (110 sf), and a generator/pump building with generator (298 sf). The project includes demolition, site work, utilities, paving, and other appurtenances as needed.

Funding and Cost Verification

This project is within cost. Total appropriations for this project provide \$3,349,000, including \$407,000 General Fund and \$2,942,000 Public Buildings Construction Fund (lease revenue bond funds). The State Public Works Board (the "Board") previously adopted a resolution on October 7, 2005 authorizing actions to be taken to provide for interim financing and the sale of lease revenue bonds to pay the costs of construction for this project in an amount not to exceed \$2,552,000. Because the project costs incurred to date qualify as preliminary expenditures, this resolution will replace the prior resolution approved by the Board to reflect a supplemental appropriation subsequently approved by the State Legislature.

\$3,349,000 total authorized project cost

\$3,349,000 total estimated project cost

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

\$2,942,000 project costs to be allocated: \$19,000 working drawings, \$2,923,000 construction (\$2,430,000 contract, \$122,000 contingency, \$187,000 A&E, \$84,000 other project costs, \$100,000 agency retained)

CEQA

A Notice of Determination was filed with the State Clearinghouse on April 6, 1999 and the waiting period expired on May 7, 1999.

Due Diligence

The Department of General Services prepared a Summary of Conditions Memo for this project on February 27, 2003 and an Update Summary of Conditions Memo on April 19, 2005, both noted that no significant issues were identified.

Project Schedule

The project schedule is as follows:

Complete construction: July 2007

Staff Recommendation: Adopt resolution

BOND ITEM

BOND ITEM – 4

DEPARTMENT OF FORESTRY & FIRE PROTECTION (3540)
ELK CAMP FOREST FIRE STATION, HUMBOLDT COUNTY
Relocate Facility

Authority: Chapter 379/02, Item 3540-301-0660 (3)
Chapter 38/05, Item 3540-301-0660 (1.6)
~~Chapter XX/06, Item 3540-301-0660 (.4)~~
Chapter 47 and 48/06, Item 3540-301-0660 (.4)

Adopt a resolution to:

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

Total Estimated Bond Authorization:

\$3,212,000

APPROVED 4/0

BOND ITEM

STAFF ANALYSIS ITEM – 4

Department of Forestry & Fire Protection
Elk Camp Forest Fire Station, Humboldt County

Action Requested

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

Scope Description

The project is within scope. The approved project authorizes the acquisition of the approximately 5± acre site and construction of a one-engine forest fire station, including an 8-bed barracks/mess hall building (2,330 sf), a two-bay apparatus building (1,697 sf), a flammable storage building (150 sf), utilities, paving, sidewalks, site work, and all other appurtenances as needed. Demolition of the existing facilities is included.

Funding and Cost Verification

This project is within cost. Total appropriations for this project provide \$3,439,000, including \$227,000 General Fund and \$3,212,000 Public Buildings Construction Fund (lease revenue bond funds). The State Public Works Board (the "Board") previously adopted a resolution on October 11, 2002 and a supplemental resolution on September 9, 2005 authorizing actions to be taken to provide for interim financing and the sale of lease revenue bonds to pay the costs of construction for this project in an amount not to exceed \$2,833,000. Because the project costs incurred to date qualify as preliminary expenditures, this resolution will replace the prior resolutions approved by the Board to reflect a supplemental appropriation subsequently approved by the State Legislature.

\$3,518,000 total authorized project cost

\$3,110,000 total estimated project cost

\$457,000 project costs previously allocated: \$195,000 acquisition, \$82,000 preliminary plans, \$180,000 working drawings

\$2,653,000 project costs to be allocated: \$2,653,000 (\$2,219,000 contract, \$111,000 contingency, \$223,000 A&E, \$100,000 other project costs)

CEQA

A Notice of Determination was filed with the State Clearinghouse on October 4, 2000 and the waiting period expired on November 3, 2000.

Due Diligence Status

The Department of General Services prepared a Summary of Conditions Memo for this project on July 15, 2004 and it was noted that no significant issues were identified.

Project Schedule

The project schedule is as follows:

Complete construction September 2007

Staff Recommendation: Adopt resolution

BOND ITEM

BOND ITEM – 5

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA MEDICAL FACILITY, MENTAL HEALTH CRISIS BEDS
VACAVILLE, SOLANO COUNTY**

*Authority: Chapter 157, Statutes of 2003, Item 5240-301-0660 (2)
Chapter 38, Statutes of 2005, Item 5225-301-0660 (3)*

Adopt supplemental resolution to:

1. Authorize the use of interim financing to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds consistent with increased project authority.
2. Authorize the sale of the State Public Works Board Lease Revenue Bonds consistent with increased project authority.

Total Estimated Bond Authorizations

\$29,795,000

APPROVED 4/0

BOND ITEM

STAFF ANALYSIS ITEM – 5

Department of Corrections and Rehabilitation
California Medical Facility, Mental Health Crisis Beds
Vacaville, Solano County

Action Requested

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

Scope Description

This project is within scope. The Mental Health Crisis Bed facility will be a single story building with an area of 44,881 square feet. The new facility will provide two 25-bed nursing units for mental health treatment needs of California Department of Corrections and Rehabilitation inmate/patients requiring short-term, inpatient, and crisis care in a licensed Correctional Treatment Center environment.

Funding and Project Cost Verification

This project is within cost.

\$29,795,000	total authorized project cost
\$29,795,000	total estimated project cost
\$29,795,000	project costs previously allocated: preliminary plans \$1,452,000; working drawings \$1,225,000; project administration \$2,268,000; agency retained \$2,066,000; and construction \$22,784,000 (\$21,699,000 contract, \$1,085,000 contingency)

CEQA

A Mitigated Negative Declaration was filed with the State Clearinghouse on September 17, 2004, and the litigation-waiting period expired on October 18, 2004.

Due Diligence

Due Diligence was completed in October 2005.

Project Schedule

The project schedule is as follows:

Approve Preliminary Plans:	September 2005
Complete Working Drawings:	January 2006
Start Construction:	May 2006
Complete Construction:	January 2008

Staff Recommendation: Adopt supplemental resolution

BOND ITEM

BOND ITEM – 6

**UNIVERSITY OF CALIFORNIA (6440)
BERKELEY CAMPUS, DAVIS HALL NORTH REPLACEMENT BUILDING
ALAMEDA COUNTY**

*Authority: Chapter 3/02, Third Extraordinary Session
Chapter 52/00, Item 6440-301-0001 (1)
Chapter 157/03, Item 6440-301-0660 (1)*

Adopt a supplemental resolution to:

1. Authorize the use of interim financing, to be repaid from the Public Buildings Construction Fund from the proceeds from the sale of bonds consistent with increased project authority.
2. Authorize the sale of the State Public Works Board Lease Revenue Bonds consistent with increased project authority.

Total Estimated Bond Authorization: \$75,124,000

APPROVED 4/0

BOND ITEM

STAFF ANALYSIS ITEM – 6

University of California
Berkeley Campus, Davis Hall North Replacement Building
Alameda County

Action requested

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

Scope Description

This project is within scope. The Davis Hall North Replacement Building project will construct a research facility of approximately 78,000 assignable square feet (asf) and 141,821 gross square feet (gsf) on the site of old Davis Hall. The building will serve as headquarters and the main research facility for the Center for Information Technology Research in the Interest of Society (CITRIS). The building will house a highly advanced Integrated Microfabrication Laboratory, additional research space, a Lifelong Learning Center, including four state-of-the-art instructional and conferencing rooms, and space for administration and support.

Funding and Project Cost Verification

This project is within cost. Chapter 157, Statutes of 2003 shifted \$11 million from the General Fund to Lease Revenue for this project. This action will reflect the allocation of the \$11 million in Lease Revenue funds. A resolution authorizing actions to be taken to provide for interim financing and sale of lease revenue bonds was previously adopted by the Board in April 2003 in the amount of \$64,124,000. Further, UC has added additional funds of \$59,180,000 from campus sources to offset higher bids for this project.

\$117,650,000 total authorized project cost

\$176,830,000 total estimated project cost

\$39,718,000 project costs previously allocated: preliminary plans -- \$6,200,000 (State funds: General Fund), \$3,300,000 (campus funds); working drawings -- \$6,001,000 (State funds: General Fund), \$3,200,000 (campus funds); construction -- \$8,692,000 (State funds: lease revenue bonds), \$12,325,000 (campus funds)

\$137,112,000 to be allocated: construction -- \$55,432,000 (State funds: lease revenue bonds), \$11,000,000 (State funds: lease revenue bonds reallocated from General Fund), \$38,405,000 (campus funds), \$29,735,000 (external financing); equipment -- \$2,540,000 (campus funds)

CEQA

The University certifies that the project is in compliance with CEQA.

Due Diligence

The Department of General Services (DGS) completed due diligence on April 22, 2003, and concluded that there are no significant issues that would adversely affect the quiet enjoyment of the bonded property.

Project Schedule

The project schedule is as follows:

Approve working drawings: March 2004
Start construction: June 2006
Complete construction: November 2008

Staff Recommendation: Adopt supplemental resolution

CONSENT ITEM

CONSENT ITEM – 7

DEPARTMENT OF GENERAL SERVICES (1760)
JUDICIAL COUNCIL OF CALIFORNIA (0250)
CONTRA COSTA COUNTY, NEW ANTIOCH AREA COURTHOUSE
CONTRA COSTA COUNTY
JCC Parcel Number 07-G-1; DGS Parcel Number 10291

Authority: Chapter 38, Budget Act of 2005, Item 0250-301-3037 (1)

Authorize site selection consistent with staff analysis

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 7

Department of General Services
Judicial Council of California
Contra Costa County, New Antioch Area Courthouse
Contra Costa County

Action requested

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

Scope Description

This project is within scope. The project provides for the site acquisition of land for the construction of a new courthouse in East Contra Costa County. Two sites are under consideration for site selection of this project, however, only one site will be considered for the acquisition phase of the project. Site 1 is located in the City of Pittsburg and is comprised of a combination of four parcels/portions of parcels totaling approximately 4.1 acres of land that is presently improved with a community facility and a public parking lot. The property is owned by local government and may be delivered to the State of California with the improvements removed from the property. Additionally, the City of Pittsburg will provide additional off-site parking to the State that cannot be accommodated on the site under consideration. Site 2 is located in the neighboring City of Antioch and would include acquiring the fee simple interest in a parcel of vacant land totaling approximately 8.2 acres.

Funding and Cost Verification

This project is within cost. Chapter 38, Budget Act of 2005, Item 0250-301-3037(1) provides funding for this acquisition of fee simple interest. The property can be acquired with the funds available and in accordance with Legislative intent.

CEQA

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

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is January 2007.

Condition of Properties

The Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the subject properties on June 7, 2006. Site 1 is approximately 4.1 acres and is located at the southeast corner of the intersection of Railroad Avenue and Center Drive in the City of Pittsburg. The site is located adjacent to the existing city hall and future government center/transit village currently under master planning by the City. Additionally, it is south of the existing courthouse which will be removed as part of this project. Site 2 is approximately 8.2 acres and is located on Delta Fair Blvd, southeast of Standard Oil Avenue in the City of Antioch. It is located directly across the street from a County social services building

and down the road from the local community college.

For either site, the new Courthouse project is planned to be a two level building totaling 73,500 gross square feet with a maximum height of 45 feet. Both selected sites are flat and compatible with the proposed courthouse use. The sites have street accessibility and the necessary utilities infrastructure for this type of building.

A Phase I Environmental Site Assessment (ESA) was prepared by ERM Resources Management for both sites. In the report for Site 1 (Pittsburg), dated March 2006, ESA found no evidence of recognized environmental conditions in connection with this property. However, potential environmental concerns for lead-based paint and asbestos-containing materials associated with the buildings were noted. In addition, a hole in the ground of about 6 feet deep was observed on the site which was walled with concrete and partially covered by concrete block and rebar. The ESA indicated that this feature may be part of a former vault related to storm or sanitary sewer system and suggested that there may be a potential concern either as a potential conduit for contamination into ground water or containing piping or a tank. Should Site 1 be considered for the acquisition phase of this project, further investigation and evaluation of these noted concerns is recommended.

In the ESA for Site 2 (Antioch), dated February 2006, it was reported that no evidence of recognized environmental conditions were found in connection with this property. The property has been recently disked, probably to knock down the vegetation and reduce the fire hazard. The property is flat and covered with grasses and exposed soil. State Highway 4 and a highway fence along with utility poles and lines are located to the north and to the east and south are residential developments. Along the eastern portion of the property, a very minor amount of scattered trash and vegetative debris were observed, probably coming from the homes, the most noticeable being two car tires. The property overall is without any visible environmental concerns.

Other:

- The proposed sites meet the size, location, and compatibility requirements of the Judicial Council of California (JCC).
- There is no relocation assistance involved with this project.
- The purchase price shall not exceed estimated fair market value as determined by a Department of General Services (DGS) approved appraisal.
- DGS Environmental Services staff have toured the property and reported no due diligence issues that would prevent site selection.
- There is no implied dedication involved with this project.

Staff Recommendation: Authorize site selection

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CONSENT ITEM

CONSENT ITEM – 8

**DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
MARSHALL GOLD DISCOVERY STATE HISTORIC PARK, MT. MURPHY
EL DORADO COUNTY
DPR Parcel Number 321A, DGS Parcel Number 10339**

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

Authorize acquisition consistent with the staff analysis

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 8

Department of General Services
Department of Parks and Recreation
Marshall Gold Discovery State Historic Park, Mt. Murphy
El Dorado County

Action requested

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

Scope Description

This project is within scope. The Legislature has approved funding from Proposition 40 (California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002) for new State Park System acquisitions without specifying particular parcels. This request will authorize the acquisition of approximately 226 acres, together with an appurtenant access easement, for the preservation of a view-shed as an addition to the Marshall Gold Discovery State Historic Park (SHP) near Coloma, in the County of El Dorado. The property is located northeast of the SHP, on the north side of the South Fork American River.

The Mount Murphy property includes Mt. Murphy, a 1,929 foot peak situated prominently across the South Fork American River from Marshall Gold Discovery SHP. This project is significant because the acquisition of this undeveloped property will serve to provide public protection of this prominent viewshed and continue the Department of Parks and Recreation's (DPR) efforts to conserve, expand and protect the State's natural resources.

Funding and Cost Verification

This project is within cost. Chapter 157/03, Item 3790-301-6029(10), as reappropriated by Chapter 47 and 48/06, Item 3790-491, provides a total of \$35,000,000 for the acquisition of high priority parcels of land. The balance of the appropriation is sufficient to acquire the subject property in accordance with legislative intent.

\$1,260,000 total authorized project cost

\$1,260,000 total estimated project cost

\$5,000 project costs previously allocated (DGS staff costs)

\$1,255,000 project costs to be allocated: \$1,243,000 acquisition and \$12,000 overhead costs (title and escrow and remaining DGS staff costs)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 12, 2006, and the 35-day statute of limitations expired on June 16, 2006.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is July 2006.

Condition of Property

The Department of General Services, Environmental Services Section (DGS/ESS) staff conducted a property inspection of the 226-acre Mt. Murphy property located in El Dorado County on April 17, 2006. The subject property consists of two contiguous parcels located in Coloma, east of the American River. The Johntown and Dutch Creeks run near the easterly and southerly portions of the property and the property is evidenced by corner property markers on the southwest, southeast, and northwest corners.

There is a 20-acre improved residential property located adjacent to the subject property on its northern edge. The owners of this 20-acre parcel, the Manuscos, are the current owners of the subject property. The Marshall Gold Discovery SHP property is located west of the American River, in close proximity to the subject property, with some portions of the park east of the American River. There are several scattered larger residential properties, e.g. 20-acre parcels, between the park land east of the river and the subject property. Access to the subject property is via a county-maintained road or via an access road running through the Mancuso property.

The subject property is relatively flat at the mountain top with an approximate elevation of 1,929 feet. The property provides an outstanding view of the surrounding area, and distinguished by a moderate to steep slope on the easterly, southerly, and westerly portions.

From a vantage point west of the American River, a small landslide was noted on the subject property. The small landslide on the southwest facing slope occurred during a winter storm event. The volume of rain sustained over a short period of time caused an estimated 100 to 150 cubic yards of soil movement. The slide followed a water course and crossed a county road, and the material was subsequently removed. It is believed that the slide was a natural process, with no long lasting damage and little cause for future concern. There are several ditches located on southern slopes that were used to convey water to adjoining lands; however, these ditches were not directly observed.

Cultural resources observed include the remaining stone walls of "Murphy's Fort". Historical uses of the property include fruit growing and cattle grazing. Vegetation consists of blue oak, grey pine, buckeye, and poison oak, along with soap root, blue dick, and fiddle neck, and grasses. Wildlife observed included numerous turkeys and deer and turkey vultures. The property is fenced, but no cattle were on the property at this time. An old bathtub basin used as a water trough for the cattle was observed on the westerly side of the property.

No adverse property impacts were observed other than an area of dead vegetation about 100 feet long and six feet wide that the owner indicated had been sprayed with Roundup to discourage thistle growth, as apparently this general area may be used by the owners for walking. No previous mining activity was observed. The MINEFILE AND MASMILS databases of the U. S. Bureau of Mines do not show any mine or prospecting within the subject property.

Due to the undeveloped nature of the subject property, an environmental site assessment was not considered necessary for this acquisition.

Other:

- This property was approved for site selection via delegation by the State Public Works Board (SPWB) in July 2006.
- The purchase price does not exceed the estimated fair market value as determined by a DGS-approved appraisal.
- The DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The property is vacant and unimproved and no relocation assistance is involved with this project.

- There is no implied dedication applicable to this property.
- This acquisition will include an appurtenant access easement.
- This acquisition constitutes a dual escrow whereby the current owner will sell the property to The Trust for Public Lands (TPL) via an option agreement. Following this transaction, the TPL will immediately sell the property to the State. The State is not a party to, and is not taking title to the property subject to, any terms and/or conditions as contained in any agreements, proposals, contracts, option agreements, or any similar agreements entered into by TPL in connection with TPL's purchase of the property. The TPL's acquisition will consist of 246 acres, of which approximately 226 acres will be sold to the State, along with an appurtenant access easement. The TPL will retain the remaining 20 acres for future sale purposes. This proposed acquisition is adjacent to the existing Marshall Gold Discovery State Historic Park. The acquisition will maintain and preserve the viewshed of the existing park. The property is predominantly fenced off to prevent public access. Existing DPR staff will provide routine periodic visual patrols using public roads and existing State Park property. As such, no additional support needs are anticipated with the acquisition of this property.
- While DPR does not foresee changes at this time to public access, development, or resource needs, any such changes will be addressed through the normal budget process.

Staff Recommendation: Authorize acquisition

CONSENT ITEM

CONSENT ITEM – 9

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
ANZA-BORREGO DESERT STATE PARK, TAX DELINQUENT PROPERTY,
AGREEMENT #6981
SAN DIEGO COUNTY
DPR Parcel Number 299A, DGS Parcel Number 10252

*Authority: Chapter 379/02, Item 3790-301-6029(6),
as reappropriated by Chapter 38/05, Item 3790-491*

Authorize acquisition consistent with the staff analysis

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 9

Department of General Services
Department of Parks and Recreation
Anza-Borrego Desert State Park, Tax Delinquent Property, Agreement #6981
San Diego County

Action Requested

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

Scope Description

This project is within scope. The Legislature has approved funding from Proposition 40 (California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002) for new State Park System acquisitions without specifying particular parcels. This request will authorize the acquisition of approximately 32.5 acres of tax delinquent properties consisting of five separate parcels situated in the County of San Diego. The acquisition is part of a 12 parcel acquisition of tax delinquent properties, representing in-holdings in the Anza-Borrego Desert State Park. The purchase of these properties presents an opportune means of acquiring additions to the State Park System. The acquisition also meets the Department of Parks and Recreation's (DPR) acquisition guidelines for the acquisition of unique natural resources areas and in-holdings; while continuing Proposition 40's ongoing investment in parks to conserve and protect the State's natural resources and the environment.

Funding and Cost Verification

This project is within cost. Chapter 379/02, Item 3790-301-6029(6), as reappropriated by Chapter 38/05, Item 3790-491, provides a total of \$40,000,000 for the acquisition of high priority parcels of land. The balance of the appropriation is sufficient to acquire the subject property in accordance with legislative intent.

- \$7,000 total authorized project cost
- \$7,000 total estimated project cost
- \$1,000 project costs previously allocated (DGS staff costs)
- \$6,000 project costs to be allocated: \$4,000 acquisition and approximately \$2,000 in overhead costs

CEQA

The Notice of Exemption was filed with the State Clearinghouse on May 24, 2005, and the 35-day statute of limitations expired on June 28, 2005.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is July 2006.

Condition of Property

The Department of General Services, Environmental Services Section (DGS/ESS) staff conducted a site visit of various tax delinquent parcels representing in-holdings located in the Anza Borrego Desert State Park on February 7, 2005. The proposed acquisition for this project consists of twelve tax delinquent parcels; of which, five parcels are represented with this request (APN's: 118-010-27; 139-030-36; 142-150-01; 142-190-37; 339-022-44) that consist of undeveloped land comprising approximately 32.5 acres of the estimated 105 acres of tax delinquent properties being acquired by the State. The parcels are located within or adjacent to Anza Borrego Desert State Park lands in an unincorporated area of San Diego County, California.

A Phase I Environmental Site Assessment report was not available for this property and is not deemed necessary given the physical setting of the parcels. No potential problems with hazardous materials were observed during the DGS/ESS site visit and the property is compatible with the proposed future use, i.e., open space and habitat preservation.

Other:

- The specified parcels are held in title by the County of San Diego in consideration of delinquent property taxes that shall be transferred to the State.
- The purchase price shall not exceed the estimated fair market value as determined by a DGS approved appraisal.
- There is no implied dedication applicable to this property.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- The DPR is not aware of any lawsuits pending concerning this property.
- The County of San Diego will convey title to the properties free of all encumbrances of any kind existing before the acquisition, except those referred in §3712 of the Revenue and Taxation Code, which will not adversely affect DPR's intended use of the property.
- Acquisition of this property requires the State to dedicate the property for public use.
- As an in-holding property, consisting of an addition of 32 .5 acres to the existing 600,000-acre Anza-Borrego Desert State Park, the DPR does not estimate that there will be any additional operating costs resulting from this acquisition.

Staff Recommendation: Authorize acquisition

CONSENT ITEM

CONSENT ITEM – 10

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
ANZA-BORREGO DESERT STATE PARK, TAX DELINQUENT PROPERTY,
AGREEMENT #6991
SAN DIEGO COUNTY
DPR Parcel Number 500A, DGS Parcel Number 10352

*Authority: Chapter 379/02, Item 3790-301-6029(6),
as reappropriated by Chapter 38/05, Item 3790-491*

Authorize acquisition consistent with the staff analysis

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 10

Department of General Services
Department of Parks and Recreation
Anza-Borrego Desert State Park, Tax Delinquent Property, Agreement #6991
San Diego County

Action Requested

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

Scope Description

This project is within scope. The Legislature has approved funding from Proposition 40 (California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002) for new State Park System acquisitions without specifying particular parcels. This request will authorize the acquisition of approximately 72.5 acres of tax delinquent properties consisting of seven separate parcels situated in the County of San Diego. The acquisition is part of a 12 parcel acquisition of tax delinquent properties for this project, which represents the acquisition of in-holdings in the Anza-Borrego Desert State Park. The purchase of these properties presents an opportune means of acquiring additions to the State Park System. The acquisition also meets the Department of Parks and Recreation's (DPR) acquisition guidelines for the acquisition of unique natural resources areas and in-holdings; while continuing Proposition 40's on-going investment in parks to conserve and protect the State's natural resources and the environment.

Funding and Cost Verification

This project is within cost. Chapter 379/02, Item 3790-301-6029(6), as reappropriated by Chapter 38/05, Item 3790-491, provides a total of \$40,000,000 for the acquisition of high priority parcels of land. The balance of the appropriation is sufficient to acquire the subject property in accordance with legislative intent.

- \$9,000 total authorized project cost
- \$9,000 total estimated project cost
- \$2,000 project costs previously allocated (DGS staff costs)
- \$7,000 project costs to be allocated: \$5,000 acquisition and approximately \$2,000 in overhead costs

CEQA

The Notice of Exemption was filed with the State Clearinghouse on May 24, 2005, and the 35-day statute of limitations expired on June 28, 2005

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is July 2006.

Condition of Property

The Department of General Services, Environmental Services Section (DGS/ESS) staff conducted a site visit to the Anza Borrego Desert State Park tax delinquent parcels on February 7, 2005. The acquisition consists of twelve tax delinquent parcels, of which, seven parcels are represented with this request (APN's: 118-110-12; 118-110-13; 118-110-43; 139-030-17; 142-230-09; 142-240-51; and 252-040-35-04) that consist of undeveloped land comprising approximately 72.5 acres of the estimated 105 acres of tax delinquent properties being acquired by the State. The parcels are located within or adjacent to Anza Borrego Desert State Park lands in an unincorporated area of San Diego County, California.

A Phase I Environmental Site Assessment report was not available for this property and is not deemed necessary given the physical setting of the parcels. No potential problems with hazardous materials were observed during the DGS/ESS site visit and the property is compatible with the proposed future use, i.e., open space and habitat preservation.

Other:

- The specified parcels are held in title by the County of San Diego in consideration of delinquent property taxes that shall be transferred to the State.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- The DPR is not aware of any lawsuits pending concerning the property. The Tax Deed to the State will be free and clear of any liens.
- Acquisition of this property requires the State to dedicate the property for public use.
- The County of San Diego conveys title to the property free of all encumbrances of any kind existing before the acquisition, except those referred in §3712 of the Revenue and Taxation Code, which would not adversely impact DPR's intended use of the property.
- As in-holding property, consisting of an addition of approximately 72.5 acres to the existing 600,000-acre Anza-Borrego Desert State Park, the DPR does not estimate that there will be any additional operating costs resulting from this acquisition.

Staff Recommendation: Authorize acquisition

CONSENT ITEM

CONSENT ITEM – 11

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
ANZA BORREGO DESERT STATE PARK-OCOTILLO WELLS SVRA/DESERT CAHUILLA
FREEMAN PROPERTY
IMPERIAL COUNTY
DPR Parcel Number 526A, DGS Parcel Number 10419

*Authority: Chapter 157/03, 3790-301-0263(3)
Chapter 208/04, 3790-301-0263(3)
Chapter 38/05, 3790-301-0263(2)*

Authorize site selection consistent with the staff analysis

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 11

Department of General Services
Department of Parks and Recreation
Anza Borrego Desert State Park-Ocotillo Wells SVRA/Desert Cahuilla Freeman Property
Imperial County

Action requested

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

Scope Description

This project is within scope. The Legislature has approved funding for the purchase of interests in lands consistent with the Off Highway Vehicle (OHV) Trust Fund Opportunity Purchase Program, without specifying particular parcels. This request will authorize site selection of approximately 4,000 acres as an addition to the existing 600,000-acre Anza Borrego Desert State Park and the 75,000- acre Ocotillo Wells State Vehicular Recreation Area (Desert Cahuilla) in the County of Imperial. The property has significant natural, cultural and recreational values and meets six of the eight Department of Parks and Recreation (DPR) acquisition guidelines: (1) Expanded Outdoor Recreation Opportunities; (2) Cultural Landscapes; (3) Significant Cultural Resources Properties; (4) Sustainable Ecosystems; (5) Unique Natural Resources; and (6) In-holdings and Adjacent Parcels.

Funding and Cost Verification

This project is within cost. Chapter 157/03, 3790-301-0263(3), Chapter 208/04, 3790-301-0263(3), and Chapter 38/05, 3790-301-0263(2) provide a total of \$1,400,000 for the purchase of interests in lands consistent with the OHV Trust Fund Opportunity Purchase Program. The OHV funding for this acquisition will be partnered with a federal grant in the amount of \$680,000 (pending budget revision approval). The subject property can be acquired with the funds available and in accordance with legislative intent.

CEQA

The CEQA notice was filed on July 5, 2006, and the statute of limitations will expire on August 8, 2006.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is August 2006.

Condition of Property

The Department of General Services, Environmental Services Section (DGS/ESS) staff conducted a site survey of the proposed acquisition of approximately 4,000 acres of land near the existing Anza-Borrego State Park in Imperial County on June 28, 2006. The acquisition involves securing a number of rectangular parcels within a checkerboard of public/private land ownership typical of the Mojave Desert region of California. The Desert Cahuilla acquisition is generally contiguous with the east side of the state park.

The subject property is composed of desert "badlands" terrain of rocky, gently-rolling creosote bush habitat and canyons. The acquisition area slopes to the east towards the Salton Sea. The majority of these properties are in a natural condition with little or no evidence of contemporary

human use or development. However, limited areas have been disturbed by geothermal exploration that has resulted in the development of dirt access roads and drilling pads. Due to this intrusion into land that is otherwise undisturbed wilderness, a Phase I Environmental Site Assessment was prepared for the acquisition area. This report concluded that the subject geothermal exploration did not create a hazardous condition or any exceptional long-term liabilities for the State. All of the drill sites were properly closed in compliance with state/federal regulations and no hazardous materials or debris remained on the property.

The DGS/ESS staff finds that based on a review of available information and a survey of the acquisition area, the subject property presents no short or long-term liabilities or conditions that would require additional documentation and/or investigation. The DGS/ESS staff also finds that the property is appropriate for the intended expansion of the existing state park.

Other:

- The purchase price shall not exceed the estimated fair market value of the property, as determined by DGS.
- This acquisition represents the second phase of a two phase acquisition. The “Desert-Cahuilla-Fish Traps” was the first phase project approved by the Public Works Board on March 11, 2005.
- The non-profit TPL has an option to purchase the property with owner Richard L. Freeman, et.al. (Freeman). The TPL will enter into a Property Acquisition Agreement (PAA) with DPR and exercise its option, assign its rights of warranties, representations and indemnification to DPR, and Freeman will convey the property directly to DPR.
- The DPR is not aware of any lawsuits pending concerning the property. The PAA will require delivery of title to the property free and clear of any mortgages or liens.
- The property is vacant and unimproved. There is no relocation assistance involved with this project.
- Access to the subject property is by way of Highway 22 and Highway 86 in Imperial County.
- This acquisition is a 4,000-acre addition to the existing 600,000-acre Anza-Borrego Desert State Park and the 75,000-acre Ocotillo Wells State Vehicular Recreation Area. The DPR will provide resource protection and public safety for the current use of the property by using existing staff and resources. As such, no additional support needs are anticipated with the acquisition of this property.
- While DPR does not foresee changes at this time to public access, development, or resource needs, any such changes will be addressed through the normal budget process.

Staff Recommendation: Authorize site selection

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CONSENT ITEM

CONSENT ITEM – 12

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
HUMBOLDT REDWOODS STATE PARK, HORSE COLLAR
HUMBOLDT COUNTY
DPR Parcel No. 003177; DGS Parcel No. 10415

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

Authorize acquisition consistent with the staff analysis

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 12

Department of General Services
Department of Parks and Recreation
Humboldt Redwoods State Park, Horse Collar
Humboldt County

Action requested

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

Scope Description

This project is within scope. This request will authorize acquisition of approximately 24.1 acres of land contiguous to other state-owned property and nearby Humboldt Redwoods State Park. The Legislature has approved funding from Proposition 40 (California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002) for new State Park System acquisitions without specifying particular parcels. This acquisition will allow the Department of Parks and Recreation (DPR) to fulfill two important missions: (1) acquire in-holdings and adjacent properties to the State Park System; and (2) preserve sustainable redwood forest ecosystems. This acquisition will expand the 53,000-acre Humboldt Redwoods State Park by approximately 24 acres of fully timbered property consisting of old growth and second growth redwood stands, in addition to some scattered fir and hardwoods.

Funding and Cost Verification

This project is within cost. Chapter 157/03, Item 3790-301-6029(10), as reappropriated by Chapter 47 and 48/06, Item 3790-491, provides a total of \$35,000,000 for the acquisition of high priority parcels of land. The balance of the appropriation is sufficient to acquire the subject property in accordance with legislative intent.

\$837,000 total authorized project costs

\$837,000 total estimated project costs

\$1,000 project costs previously allocated (DGS staff costs for appraisal review and staff review)

\$836,000 project costs to be allocated: \$823,000 for acquisition and approximately \$13,000 for title, escrow, and other review fees

CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 31, 2006, and the statute of limitations expired on July 5, 2006.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is July 2006.

Condition of Property

The Department of General Services, Environmental Services Section (DGS/ESS) staff conducted a site survey of the approximate 24-acre proposed acquisition on December 2, 2005. The property is located along the western portion of Humboldt Redwoods State Park in Humboldt County. There is a California Department of Transportation right-of-way for Highway 101 that separates the subject parcel from the park.

The acquisition area consists primarily of old growth and second growth redwood stands on steeply sloping terrain. The redwoods and other vegetation are very healthy. While the property was logged many years ago, the parcel is entirely undeveloped forest land. There are no structures, roads, utilities, etc., and no evidence of historic development on the parcel.

The property is bound on the east side by the Highway 101 right-of-way, which consists of a wide graded area used for short-term material storage and off-highway parking. However, this area is down-gradient of the acquisition area so there is little risk of incidental contamination affecting the parcel.

The property contained no significant debris or abandoned vehicles at the time of the survey. Given its steep terrain and remote setting it is unlikely that illegal dumping has occurred since the survey or that it would happen in the future.

A formal environmental site assessment was not considered necessary for this acquisition because the property consists of redwood forest situated far from urban development and its influences. The DGS/ESS staff concluded that the property has no short or long-term liabilities or conditions that warrant further detailed environmental studies.

Other

- This property was approved for site selection by the State Public Works Board (SPWB) on June 12, 2006.
- The Property Acquisition Agreement (PAA) does not include the State's standard indemnification language, potentially exposing the State to additional fiscal liability. However, the DGS/ESS site visit of the property did not identify conditions that would likely pose an exceptional risk to the State. Further, given the fact that the property is largely unimproved natural habitat, the risk associated with acquiring this property without the standard indemnification is low.
- The property is vacant and unimproved. There is no relocation assistance involved with this project.
- The DPR is not aware of any lawsuits pending concerning the property. The PAA will require delivery of title to the property free and clear of any mortgages or liens.
- The purchase price shall not exceed the estimated fair market value as determined by the DGS-approved appraisal. The value of this acquisition is derived primarily from the timber with an estimated value of \$1,621,664 with the land being valued at an estimated \$1,000 per acre.
- In a Purchase and Sale Agreement (PSA) executed on January 3, 2006, between the current property owner, Scotia Pacific Company (SPC), and Save-the-Redwoods League (SRL), SPC agreed to sell the property to SRL for \$1,646,000. As a condition of the PSA, SRL will direct SPC to transfer title directly to DPR at closing. The DPR is not a party to, and is not taking title to the property subject to, any terms and/or conditions of the PSA or any other agreements entered into exclusively between SPC and SRL.
- A First Amendment to the PSA was executed on January 5, 2006, to grant an insured access easement. The SPC will record, at closing, the access easement that, together with other existing access appurtenant to the property, will provide access to and from Highway 101 to the property for administrative purposes and for purposes of conducting timber operations and harvest on the property. The title policy issued at closing will include the access easement as an insured interest with an endorsement insuring that the access easement provides ingress and egress to and from Highway 101.
- The SRL will contribute 50 percent of the \$1,646,000 purchase price for this acquisition and the State will pay the remaining 50 percent plus approximately \$12,500 in title and closing fees. The SRL's \$823,000 contribution towards the purchase of this acquisition is conditioned upon DPR and SRL entering into a Use Restriction Agreement that requires the State to use the property for state park purposes only. The use restriction can be removed if either of two actions occur: (1) the Legislature deems all or part of the property is in excess of the State's foreseeable needs and authorizes the sale of the property; or (2) the SPWB recommends that the property be transferred to another state agency for a higher and better public purpose. In either event, to remove the use restriction, contingent upon appropriation and availability of funds, DPR will be required to pay the SRL 50 percent of the property's then current market value or 50 percent of the prorated value of the portion thereof designated for alternative use, less the value of any State improvements.
- A Memorandum of Agreement (MOA) was executed in February 2006 between SPC, DPR, the California Resources Agency, the California Department of Fish and Game, the California Department of Forestry and Fire Protection, and the Wildlife Conservation Board. The MOA identifies: (1) Habitat Conservation Plan (HCP); (2) Implementation Agreement (IA) for the HCP; (3) Incidental Take Permits (ITPs); and (4) Agreement Relating to Enforcement of AB 1986 (AB 1986 Agreement), which was recorded on or about March 1, 1999, as covenants running with the land that are transferred with the property and DPR assumes SPC's obligations under the AB 1986 Agreement. The AB 1986 Agreement implements a state law that sets forth minimum standards governing management of the lands covered by the HCP. The IA allows for the transfer of covered lands to an adjacent landowner without restrictions of the HCP, IA, and ITP under certain circumstances that

exist in this acquisition and the AB 1986 Agreement provides that transfer of covered lands may occur in accordance with IA provisions only if conditions described in Section 3.2 of the AB 1986 Agreement are transferred with the land and the transferee assumes the obligations of the AB 1986 Agreement. The Section 3.2 covenants are a subset of the limitations on use of the covered lands contained in the HCP, IA and ITPs. The only covenants described in Section 3.2 that affect use of the property relate to riparian management zones along Class II and III watercourses required to be established through a watershed analysis process under the HCP, IA, and ITPs. The watershed analysis process was completed and resulted in restrictions applicable to watercourses in and near the property that are equivalent to those of watercourse and lake protection zones already required by the California Forest Practice rules. Given that DPR will manage the property for park purposes as part of the Humboldt Redwoods State Park, which does not include timber harvesting, management of the property by DPR will not trigger any land management obligations required by the AB 1986 agreement and there is no performance under the AB 1986 Agreement to secure or monitor. If during the 50 year term of the AB 1986 Agreement which commenced on March 1, 1999, title to the property ceases to be held by DPR or managed by DPR for park purposes consistent with the AB 1986 Agreement that do not include timber harvesting, the AB 1986 Agreement signatories may require the posting of security and monitoring of the property for compliance with AB 1986 Agreement.

- Although DGS staff has not personally reviewed the HCP, IA, ITPs or AB 1986 Agreement, the MOA states that the AB 1986 Agreement covenants do not restrict existing legally permissible uses of the property, such as timber harvesting; and therefore, should not adversely affect any valuation of the property that takes into consideration the restrictions on land uses imposed by the HCP, IA, ITPs and the California Forest Practice Rules.
- The DPR asserts that there is no fiscal impact to their program during the 50 year life of the AB 1986 Agreement.
- One exception will remain on title that recognizes that movements by Horse Collar Creek may move soil from this property to another over time. This is a standard exception for properties containing watercourses and will not interfere with DPR's use of the property. The exception was considered during appraisal and does not affect valuation of the property.
- This fully timbered forest land is not conducive to public use. The DPR intends to provide periodic patrol by existing staff on routine patrols of nearby and adjacent State owned property. As such, no additional support needs are anticipated with the acquisition of this property.
- While DPR does not foresee changes at this time to public access, development or resource needs, any such changes will be addressed through the normal budget process.

Staff Recommendation: Authorize acquisition

CONSENT ITEM

CONSENT ITEM – 13

**CALIFORNIA CONSERVATION CORPS (3340)
CAMARILLO SATELLITE RELOCATION/CONSTRUCTION
CAMARILLO, VENTURA COUNTY**

*Authority: Chapter 52/00, Item 3340-301-0001(1);
Chapter 106/01, Item 3340-301-0660(1),
as partially reappropriated by Chapter 379/02, Item 3340-490,
as partially reverted by Chapter 38/05, Item 3340-495;
Chapter 38/05, Item 3340-301-0660(2)*

- | | |
|----------------------------------|---|
| a. Approve augmentation | \$206,000
(1.2 percent total project)
(2.2 percent cumulative total project) |
| b. Recognize anticipated deficit | \$426,000
(2.6 percent total project)
(4.8 percent cumulative total project) |

(In connection with Bond Item #2)

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 13

California Conservation Corps
Camarillo, Ventura County
Camarillo Satellite Relocation/Construction

Action requested

The requested action will provide a supplemental augmentation of the working drawings phase to incorporate current Title 24 code compliance and finalize LEED design implementations to LEED Certified or Silver rating (*).

Scope Description

This project is within scope. The California Conservation Corps proposes to construct a new facility of approximately 48,600 square feet that would replace its existing satellite facility on the California State University Channel Islands campus. The proposed new facility would consist of an administration building, educational and recreational buildings, four residential buildings, a multi-purpose building, a hazardous materials storage building and a warehouse. Additionally, development of the site would include paved surfacing for service & staging areas, walkways, driveways and parking. The new facility would accommodate up to 104 corpsmembers and 35 employees.

Funding and Cost Verification

This project is not within cost. Item 3340-301-0001(1), Budget Act of 2000, appropriated \$526,000 for preliminary plans. Item 3340-301-0660(1), Budget Act of 2001, appropriated \$10,865,000 for working drawings and construction, as partially reappropriated by Item 3340-490, Budget Act of 2002, and partially reverted by Item 3340-495, Budget Act of 2005. Item 3340-301-0660(2), Budget Act of 2005, appropriated a total of \$15,379,000 in lease revenue bonds for working drawings and construction, as reappropriated by Item 3340-490, Budget Act of 2006. Total authorized project costs are \$16,486,000; of that amount, \$526,000 is General Fund and \$15,960,000 is lease revenue bond financed. It should be noted that \$526,000 in excess project authority is available for reversion. The recognized anticipated deficit of \$426,000 represents the difference between the estimated and actual project costs, minus the excess project authority available for reversion.

(*) The current augmentation to incorporate current Title 24 code compliance and LEED design implementations includes only costs associated with revisions to the working drawings phase, however it is noted that there are residual soft-costs associated with implementing LEED during the construction phase. Future construction phase soft-costs are a recognized deficit within this augmentation request.

\$16,486,000 total authorized project cost

\$17,438,000 total estimated project cost

\$1,321,000 project costs previously allocated: preliminary plans \$526,000; working drawings \$795,000

\$16,117,000 project costs to be allocated: working drawings \$206,000, construction (\$13,802,000 contract, \$690,000 contingency, \$1,419,000 A&E)

\$526,000 additional project authority

\$426,000 recognized anticipated deficit

CEQA

The CEQA document was filed with the State Clearinghouse on May 10, 2001.

Project Schedule

The project schedule is as follows:

Complete construction: October 2008

Staff Recommendation: Approve augmentation and recognize anticipated deficit

CONSENT ITEM

CONSENT ITEM – 14

**DEPARTMENT OF PARKS AND RECREATION (3790)
EMPIRE MINE STATE HISTORIC PARK, PUBLIC UNDERGROUND TOUR
NEVADA COUNTY**

*Authority: Chapter 93/89, Item 3790-302-0786 (2)
Chapter 139/94, Item 3790-301-0786 (15)
Chapter 379/02, Item 3790-301-0005 (7)
Chapter 157/03, Item 3790-301-0005 (1),*

Approve augmentation

**\$328,000
(12.3 percent of total project)**

APPROVED 2/O

CONSENT ITEM

STAFF ANALYSIS ITEM – 14

Department of Parks and Recreation
Empire Mine State Historic Park, Public Underground Tour
Nevada County

Action Requested

The requested action will approve an augmentation for this project.

Scope Description

This project is within scope. The Department of Parks and Recreation (DPR) has requested an augmentation of \$328,000 (12.3 percent total project) for the construction phase of the Empire Mine State Historic Park, Public Underground Tour project. The requested augmentation is needed to fund the installation of additional support structures needed to provide safe access to view the historic mine shaft.

The project includes the development of a new mine adit (horizontal tunnel) and other supporting facilities necessary to establish a basic public underground tour at Empire Mine State Historic Park. The end of the 750-foot adit will meet the steep mine shaft and thus allow park visitors to view a previously inaccessible portion of the park. Funding is also included for a mechanized tram to carry visitors through the adit.

In addition to the cost of reinforcing the adit, it should be noted that DPR's recent investigations suggest that the cost of the mechanized tram will likely exceed the current equipment budget of \$128,000, which was based on an earlier quote from the manufacturer. The specialized manufacturer identified during the preliminary plan phase was contacted by DPR in early 2005 to order the tram equipment. The DPR was notified that the cost had increased significantly, from the 2001 estimate of \$128,000 to more than \$700,000. The main reason for this increase is due to the fact that the manufacturer's equipment does not meet current accessibility standards and would require the manufacturer to build custom equipment to meet DPR's specific needs. In an effort to keep this phase and the project within the 20 percent augmentation limits of the State Public Works Board (\$533,000 total, with \$205,000 remaining if this augmentation is approved), Parks continues to search for alternate manufacturers to supply the mechanized tram equipment at a lower cost. Although a number of vendors have been contacted, they have been reluctant to provide actual costs until an order is placed.

Should DPR ultimately find that the cost of the tram will exceed \$333,000 (\$128,000 budget plus \$205,000 remaining augmentation capacity), it may be necessary to defer this element of the project until additional funds become available. While deferring the tram is not the most desirable option, the scaled-back project would still provide park visitors with a walking tour of the historic mine, combined with other activities provided to enhance the visitor's experience. At such time additional funds become available, the tram could be added with few modifications.

Funding and Cost Verification

This project is not within cost. Item 3790-301-0005 (1), Budget Act of 2003, provides \$2,222,000 for the construction and equipment phases of this project, for a total appropriation of \$2,665,000. The initial design and budget were based on geotechnical studies that suggested the adit would be constructed through solid rock, requiring minimal reinforcement. As construction progressed, it was discovered that the adit would require more wall supports than previously estimated, as the contractor continued to encounter fractured (less stable) rock.

Initially, bid savings in the amount of \$155,000 were used to fund change orders for these additional wall supports. However, now that the entire length of the adit has been excavated, DPR has a complete list of pending change orders needed to completely reinforce the adit. The total cost of the pending change orders is \$328,000. Not providing these additional support structures would result in unsafe conditions for park visitors. The revised project costs are as follows:

On June 23, 2006 the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its recommendation that the Public Works Board approve this augmentation after July 13, 2006.

\$2,925,000 total estimated project costs

\$2,665,000 total authorized project costs

\$2,597,000 project costs previously allocated: studies \$53,000, preliminary plans \$129,000, working drawings \$193,000, construction \$2,221,000 (\$1,782,000 contract, \$111,000 contingency, \$256,000 A&E costs \$73,000 agency retained items)

\$328,000 augmentation requested; construction \$328,000 (\$328,000 contract)

CEQA

A Notice of Determination was filed with the State Clearinghouse on March 1, 1999 and the waiting period expired on March 30, 1999.

Due Diligence

The location of the project on the property is on an area owned by DPR since 1975. The project proposed will provide visitors to the park an experience of a gold miner in 1860s. There are several utility easements, right of ways, and restrictions, on the park property; however, these pose no conflict or problems with the current project. There are known hazards within the area of impact of the project; however, they have no effect on the construction or completion of this project.

Project Schedule

The project schedule is as follows:

Complete Construction: December 2006

Staff Recommendation: Approve augmentation

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CONSENT ITEM

CONSENT ITEM – 15

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
STATEWIDE, MINOR PROJECTS

Various

Authority: ~~Proposed 2006/07 Budget Act, Item 5240-301-0001(16)~~
[Chapter 47 and 48/06, Item 5240-301-0001\(16\)](#)

Approve use of Inmate Ward Labor for these projects

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 15

Department of Corrections and Rehabilitation
Statewide, Minor Projects
Various

Action Requested

The requested action will provide approval of the use of Inmate Ward Labor (IWL) resources pursuant to Public Contract Code Section 10103.5 for the Department's Minor Capital Outlay Program.

Scope Description

The project is within scope. Pursuant to Public Contract Code Section 10103.5, the Public Works Board must approve the use of IWL when the total cost of a project for the construction of new, previously unoccupied prison facilities or additions to existing facilities exceeds \$50,000. The Board's approval of this item will provide the Department with the authority to use IWL resources on any minor capital outlay project for the 2006/2007 fiscal year.

Funding and Project Cost Verification

This project is within cost.

\$12,500,000 total amount to be allocated

CEQA

Not applicable.

Project Schedule

The project schedule is as follows:

All projects will be in construction in the 2006/2007 fiscal year.

Due Diligence

Not applicable.

Staff Recommendation: Approve use of Inmate Ward Labor

CONSENT ITEM

CONSENT ITEM – 16

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
PLEASANT VALLEY STATE PRISON, BAR SCREEN, PRE-LIFT STATION
FRESNO COUNTY

Authority: Chapter 106, Statutes of 2001, Item 5240-301-0001 (31)
~~Proposed 2006/07 Budget Act, Item 5225-301-0751(1)~~
[Chapter 47 and 48/06, Item 5225-301-0751\(1\)](#)

Approve the use of Inmate Ward Labor

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 16

Department of Corrections and Rehabilitation
Pleasant Valley State Prison, Bar Screen, Pre-lift Station
Fresno County

Action Requested

The requested action will approve the use of Inmate Ward Labor resources pursuant to Public Contract Code Section 10103.5 to be used in the construction phase.

Scope Description

This project is within scope. The project consists of constructing a wastewater screening facility that will include a mechanical bar screen to remove the solids material (screenings) contained in the prison's wastewater upstream of an existing wastewater pumping station, and equipment designed to wash and compact the screenings so they can be disposed in a landfill.

Funding and Cost Verification

This project is within cost.

\$1,097,000 total authorized project cost

\$1,663,000 total estimated project cost

\$172,000 project costs previously allocated: preliminary plans \$84,000; and working drawings \$88,000

\$1,491,000 project costs to be allocated: construction \$1,491,000 (\$1,222,000 contract; \$96,000 contingency; \$25,000 agency retained; \$148,000 A&E)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 7, 2002, and the waiting period for litigation expired on February 11, 2002 with no public comment.

Project Schedule

The project schedule is as follows:

Begin Construction: October 2006

Complete Construction: July 2007

Due Diligence

Due diligence is anticipated to begin in August 2006.

Staff Recommendation: Approve the use of Inmate Ward Labor

CONSENT ITEM

CONSENT ITEM – 17

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA STATE PRISON, CORCORAN, WASTEWATER TREATMENT PLANT
IMPROVEMENTS
KINGS COUNTY

Authority: Chapter 38, Statutes of 2005, Item 5225-301-0001(13)

- a. Approve preliminary plans
- b. Recognize anticipated deficit **\$167,000**
(3.2 percent of total project)

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 17

Department of Corrections and Rehabilitation
California State Prison, Corcoran, Wastewater Treatment Plant Improvements
Kings County

Action Requested

The requested action will provide approval of the preliminary plans and recognize anticipated deficit.

Scope Description

This project is within scope. This project will eliminate manual operations that can lead to worker injuries, provide independent metering for both the California State Prison, Corcoran and the Substance Abuse Treatment Facility's influent wastewater, and provide faster drying and removal of solids without removing excess soil materials off the bottom of the drying beds. The improvements will relieve significant safety problems and improve the ability of staff to efficiently manage waste solids from the facility.

The wastewater treatment plant improvements include constructing a prescreening structure to house the mechanical bar screens and provide flow metering of both institution's wastewater. The project also includes paving of the eight existing sludge drying beds to prevent the incorporation of soil materials into the dewatered sludge and the percolation of the water from the sludge into the ground water. The project will supply standby power from the Substance Abuse Treatment Facility's power generation station to the aeration devices in order to maintain the microbiology in the plant's aeration process during a power outage. Additional electrical improvements will consist of routing conduit and wire between the screening structure and the existing electrical building, supplying power for the new equipment, and installation of return signals for monitoring.

Funding and Project Cost Verification

This project is not within cost. Based on the construction reconciliation within the preliminary plan submittal, the costs have been revised.

\$290,000	total authorized project cost
\$5,452,000	total estimated project cost
\$290,000	project costs previously allocated: preliminary plans \$290,000
\$4,995,000	project costs to be allocated: working drawings \$264,000; project administration \$706,000; agency retained \$0; and construction \$4,025,000 (\$3,762,000 contract, \$263,000 contingency, \$0 A&E)
\$167,000	net anticipated deficit: project administration -\$621,000; agency retained \$85,000; and construction \$703,000 (\$156,000 contract, \$11,000 contingency, \$536,000 A&E)

CEQA

The Notice of Exemption was filed with the State Clearinghouse on April 5, 2006 and the litigation period expired on May 5, 2006, with no public comment.

Due Diligence:

Due Diligence is anticipated to be completed in July 2006.

Project Schedule:

The project schedule is as follows:

Complete working drawings:	December 2006
Complete construction:	September 2008

Staff Recommendation: Approve preliminary plans and recognize anticipated deficit

CONSENT ITEM

CONSENT ITEM – 18

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
SALINAS VALLEY STATE PRISON, 64 BED MENTAL HEALTH FACILITY
SOLEDAD, MONTEREY COUNTY**

Authority: Chapter 38, Statutes of 2005, Item 5225-301-0660 (4), 61.35.007

- a. **Approve preliminary plans**
- b. **Recognize anticipated deficit** **\$2,655,000**
(9.6 percent total project)

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 18

Department of Corrections and Rehabilitation
Salinas Valley State Prison, 64 Bed Mental Health Facility
Soledad, Monterey County

Action Requested

The requested action will approve preliminary plans and recognize anticipated deficit.

Scope Description

This project is within scope. This project will construct an additional 64 Bed Mental Health Facility, treatment space and an administrative addition to the existing 64 Bed Mental Health Facility. The new facility will be located in “No Man’s Land” south of existing Salinas Valley Psychiatric Program.

The new facility will accommodate an additional 64 beds. The building will be a single story concrete masonry unit. The Housing/Treatment Building will be 31,902 square feet, I-1.21/I-3 occupancy, and Type II Fire Resistive construction. The administration addition will be 5,617 square feet, B Occupancy, and Type V – No Hour Construction.

The Housing/Treatment Building will be designed for 64 single occupancy inmate/patient cells arranged in four wings of 16 inmate/patient cells each. Eight of the inmate/patient cells, two per wing, will be designed for Americans with Disability Act accessibility. There will be a nursing station and sub nurse station located at either end of the nursing units. Each station will serve two housing wings. The design of 16 cells per wing provides an ideal staff to inmate/patient ratio. The showers and interview rooms are located at the opposite ends of the housing wings from the nurse stations. This meets the Correctional Treatment Center code requirement for a travel distance of 90 feet maximum between inmate/patient cells and nursing stations.

Also included is a 60 space parking area provided outside of the secure perimeter of the prison. The new parking will expand the existing Salinas Valley State Prison parking area to the east of the existing staff parking area. An existing site lighting mast will be removed from the proposed building site and relocated to the new staff parking area.

Funding and Project Cost Verification

This project is not within cost. The increase to the cost of construction is attributed to the following: a) additional costs to implement LEED (Leadership in Energy and Environmental Design) certification; b) conversion of 32 single cells and 16 double occupancy cells to 64 single cells; and c) the increase in housing and treatment resulting from approved scope change (i.e., 29,000 square feet in budget package to 31,166 square feet). Additionally, the budget amount for construction inspection and material testing was underestimated based on the Department of General Services fee proposal for this project. Also, the costs have been adjusted to align with the appropriate budget categories.

\$27,518,000	total authorized project cost
\$30,173,000	total estimated project cost
\$27,518,000	project costs previously allocated: preliminary plans \$2,041,000; working drawings \$2,013,000; project administration \$1,595,000; agency retained \$1,985,000; other costs \$425,000; and construction \$19,459,000 (\$18,532,000 contract; \$927,000 contingency)
\$2,655,000	net anticipated deficit: preliminary plans \$0; working drawings \$0; project administration -\$1,097,000; agency retained \$0; other costs -\$425,000; and construction \$4,177,000 (\$1,909,000 contract, \$95,000 contingency, and \$2,173,000 A&E costs)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on December 7, 2005, and the litigation period expired on January 12, 2006, with no public comment.

Project Schedule:

The project schedule is as follows:

Complete Working Drawings	December 2006
Start Construction	March 2007
Complete Construction	January 2009

Due Diligence:

Due Diligence is anticipated to be completed by July 2006.

Staff Recommendation: Approve preliminary plans and recognize anticipated deficit

CONSENT ITEM

CONSENT ITEM – 19

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
DEUEL VOCATIONAL INSTITUTION, NEW WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY**

Authority: Chapter 38, Statutes of 2005, Item 5225-301-0001(10)

- a. **Approve preliminary plans**
- b. **Recognize anticipated deficit** **\$48,000**
(0.2 percent total project)

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 19

Department of Corrections and Rehabilitation
Deuel Vocational Institution, Tracy, New Wastewater Treatment Plant
San Joaquin County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. The project will provide a new membrane bioreactor Wastewater Treatment Plant. The project will also include a new headworks facility with grit removal influent pumping station, cooling towers, ultraviolet disinfection, mechanical dewatering, operation and maintenance building, electrical service, distribution gear, and an elevated pad to protect the Wastewater Treatment Plant during a 100 year flood event.

Funding and Project Cost Verification

This project is not within cost. Based on the construction reconciliation within the preliminary plan submittal, the costs have been revised.

\$1,530,000 total authorized project cost

\$28,238,000 total estimate project cost

\$1,530,000 project cost previously allocated: preliminary plans \$1,530,000

\$26,660,000 project cost to be allocated: working drawings \$1,521,000; project administration \$1,120,000; agency retained \$153,000; and construction \$23,866,000 (\$21,472,000 contract, \$1,352,000 contingency, and \$1,042,000 A&E)

\$48,000 net anticipated deficit: project administration -\$125,000; and construction \$173,000 (\$97,000 contract, -\$274,000 contingency, and \$350,000 A&E)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 7, 2006, and the waiting period expired on May 8, 2006, with no public comment.

Due Diligence

Due diligence is anticipated to be complete in July 2006.

Project Schedule

The project schedule is as follows:

Completion of working drawings: December 2006
Complete Construction: November 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 20

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CENTINELA STATE PRISON, WASTEWATER TREATMENT PLANT UPGRADES
IMPERIAL COUNTY**

Authority: Chapter 38, Statutes of 2005, Item 5225-301-0001(14)

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 20

Department of Corrections and Rehabilitation
Centinela State Prison, Wastewater Treatment Plant Upgrades
Imperial County

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. This project will provide a new headworks with prescreening structure and coarse mechanical bar screen for removal of large solids from the wastewater, fine screening to reduce the volume of small plastics that pass through the coarse screening into the treatment ponds, an influent pump station to lift wastewater from the collection system into the treatment ponds, changing the type of aerators and flow transfer structures between the ponds to improve the aeration and the overall treatment efficiency, replacement of the existing gaseous chlorination and dechlorination system with a liquid chlorination and dechlorination system to comply with proposed discharge regulations, two paved sludge stockpile pads to facilitate cleaning of the ponds and cleaning of the chlorine contact chamber, a complete solids handling program to remove accumulated solids from the treatment ponds and the chlorine contact chamber, and related upgrades to the electrical, instrumentation, and control system.

Funding and Project Cost Verification

This project is within cost.

\$440,000	total authorized project cost
\$6,653,000	total estimated project cost
\$440,000	project costs previously allocated: preliminary plans \$440,000
\$6,213,000	project costs to be allocated: working drawings \$548,000; project administration \$457,000; agency retained \$85,000; and construction \$5,123,000 (\$4,194,000 contract, \$294,000 contingency, and \$635,000 A&E)

CEQA

The Notice of Determination was filed on May 5, 2006 and the litigation period expired on June 4, 2006.

Project Schedule:

The project schedule is as follows:

Complete working drawings:	January 2007
Complete construction:	September 2008

Due Diligence:

Due Diligence is anticipated to be completed by June 2006.

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 21

**CALIFORNIA STATE UNIVERSITY (6610)
LONG BEACH CAMPUS, PETERSON HALL 3 REPLACEMENT BUILDING
LOS ANGELES COUNTY**

*Authority: Chapter 208/04, Item 6610-301-6041 (2.5)
Chapter 38/05, Item 6610-301-6041 (3.5)
Chapter 47 and 48/06, Item 6610-301-6048(4)*

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS ITEM – 21

California State University
Long Beach Campus Peterson Hall 3 Replacement Building
Los Angeles County

Action requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. The project will provide construction funds for a new replacement science facility of 95,500 assignable square feet (ASF)/159,500 gross square feet (GSF) and the demolition of the functionally obsolete Peterson Hall 3 building, an instructional facility built in 1962. The replacement building will provide 1,351 full time equivalent (FTE) in lecture space, 329 FTE in lower division laboratory space, and 58 faculty offices. The greenhouse facility will be demolished and relocated to the roof of the new building and the science lecture hall will be demolished to clear the site for the replacement building footprint. A vivarium will be provided in the new facility.

Funding and Project Cost Verification

The project is within cost.

\$90,653,000 total authorized project costs

\$90,653,000 total estimated project cost

\$1,361,000 project costs previously allocated: preliminary plans -- \$1,361,000 at CCCI 4019

\$89,292,000 project costs to be allocated: working drawings -- \$2,048,000 at CCCI 4328, construction -- \$82,696,000 at CCCI 4633, and equipment -- \$4,548,000 at EPI 2726

CEQA

The University certifies that the project is in compliance with the requirements of CEQA. A Categorical Exemption was filed with the State Clearinghouse on July 14, 2004.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Complete Preliminary Plans:	May 2006
Complete Working Drawings:	September 2006
Begin Construction:	June 2007
End Construction:	December 2009

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 22

**CALIFORNIA COMMUNITY COLLEGES (6870)
CHAFFEY COMMUNITY COLLEGE DISTRICT, HEALTH/PHYSICAL SCIENCE BUILDING
RENOVATION
CHAFFEY COLLEGE, SAN BERNARDINO COUNTY**

*Authority: Chapter 208/04, Item 6870-301-6041 (4)
Chapter 38/05, Item 6870-490
~~Chapter XXX/06, Item 6870-490~~
~~Chapter XXX/06, Item 6870-301-6041 (1)~~
Chapter 47 and 48/06, Item 6870-490
Chapter 47 and 48/06, Item 6870-301-6041 (1)*

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS –22

California Community Colleges
Chaffey Community College District
Health/Physical Science Building Renovation
Chaffey College, San Bernardino County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. The authorized project renovates 26,025 assignable square feet (asf) of space in four buildings: three buildings in the life science complex and one building in the physical science complex. The project was to create 8,670 asf of lecture, 13,360 asf of laboratory, 2,565 asf of office, and 1,430 asf of library space. Minor space alignments have been made to enhance the building layout and comply with various site conditions. The revised project renovates 24,683 total ASF including 7,140 ASF of lecture, 13,369 ASF of laboratory, 2,686 ASF of office and 1,488 ASF of library space.

Funding and Project Cost Verification

The project is within cost.

\$12,344,000 total authorized project cost

\$12,344,000 total estimated project cost

\$445,000 project funds previously allocated: preliminary plans \$445,000 at CCCI 4100

\$11,899,000 project funds to be allocated: working drawings \$312,000, construction \$10,742,000 (\$9,439,000 contracts; \$661,000 contingency; \$642,000 construction management, administration, testing and inspection) at CCCI 4421 and equipment \$845,000 at EPI 2726

CEQA

A Final Notice of Determination (2003071013) on the Environmental Impact Report for the Facilities Master Plan at Chaffey College that addressed the renovation these buildings was filed with the State Clearinghouse on May 21, 2004 and the public notice period has expired.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve working drawings	May 2007
Complete Construction	Oct 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 23

**CALIFORNIA COMMUNITY COLLEGES (6870)
CITRUS COMMUNITY COLLEGE DISTRICT; VOCATIONAL TECHNOLOGY BUILDING
CITRUS COLLEGE, LOS ANGELES COUNTY**

*Authority: Chapter 38/05, Item 6870-301-6041 (4)
Chapter ~~/06~~, Item ~~6870-491~~
Chapter ~~/06~~, Item ~~6870-301-6041 (2)~~
Chapter 47 and 48/06, Item 6870-491
Chapter 47 and 48/06, Item 6870-301-6041 (2)*

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS –23

California Community Colleges
Citrus Community College District; Vocational Technology Building
Citrus College, Los Angeles County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. This project constructs a 26,959 assignable square feet (asf) Vocational Technology Building that contains 2,100 asf lecture, 20,052 asf laboratory, 1,211 asf office, 2,385 asf library and 1,211 asf other space. It will also demolish the old 24,631 asf instructional complex.

Funding and Project Cost Verification

The project is within cost.

\$16,297,000 total authorized project cost

\$16,297,000 total estimated project cost

\$366,000 state project costs previously allocated: preliminary plans \$366,000

\$15,931,000 state project funds to be allocated: working drawings \$500,000, construction \$14,701,000 (\$13,262,000 contracts; \$663,000 contingency; \$776,000 construction management, administration, testing and inspection) at CCI 4421; and equipment \$730,000 at EPI 2726.

CEQA

A Notice of Determination (#2004121094) was filed with the State Clearinghouse and the waiting period has expired.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve Working Drawings	May 2007
Complete Construction:	November 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 24

**CALIFORNIA COMMUNITY COLLEGES (6870)
CONTRA COSTA COMMUNITY COLLEGE DISTRICT; CORE BUILDING REMODEL
LOS MEDANOS COLLEGE, CONTRA COSTA COUNTY**

Authority: Chapter 38/05, Item 6870-301-6041 (6)
~~Chapter /06, Item 6870-491~~
~~Chapter /06, Item 6870-301-6041 (3)~~
[Chapter 47 and 48 /06, Item 6870-491](#)
[Chapter 47 and 48 /06, Item 6870-301-6041 \(3\)](#)

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS –24

California Community Colleges
Contra Costa Community College District; Core Building Remodel
Los Medanos College, Contra Costa County

Action Requested

The requested action will approve preliminary plans for this project.

Scope Description

The project is within scope. This project modernizes 7,039 assignable square feet (asf) of former learning resource center space into 2,317 asf lecture, 2,006 asf laboratory, 1,418 asf office and 1,298 asf other spaces.

Funding and Project Cost Verification

The project is within cost.

\$3,387,000 total authorized project cost

\$3,387,000 total estimated project cost

\$78,000 state project costs previously allocated: preliminary plans \$78,000

\$3,309,000 state project funds to be allocated: working drawings \$104,000, construction \$2,807,000 (\$2,346,000 contracts; \$164,000 contingency; \$297,000 construction management, administration, testing and inspection) at CCI 4421; and equipment \$398,000 at EPI 2649.

CEQA

A Notice of Exemption (#2004022129) was filed with the State Clearinghouse and the waiting period has expired.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve Working Drawings	March 2007
Complete Construction:	May 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 25

**CALIFORNIA COMMUNITY COLLEGES (6870)
LOS ANGELES COMMUNITY COLLEGE DISTRICT; CHILD DEVELOPMENT CENTER
LOS ANGELES HARBOR COLLEGE, LOS ANGELES COUNTY**

*Authority: Chapter 38/05, Item 6870-301-6041(15)
~~Chapter /06, Item 6870-491~~
Chapter 47 and 48/06, Item 6870-491*

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS –25

California Community Colleges
Los Angeles Community College District; Child Development Center
Los Angeles Harbor College, Los Angeles County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. This project will construct a 9,999 assignable square feet (asf) child development center. The project includes 1,617 asf laboratory; 1,326 asf office and 7,056 asf of other child development space.

Funding and Project Cost Verification

The project is within cost.

\$6,592,000 total authorized project cost

\$6,592,000 total estimated project cost

\$154,000 state project costs previously allocated: preliminary plans \$154,000

\$3,142,000 state project funds to be allocated: working drawings \$46,000, construction \$2,830,000 (\$2,525,000 contracts; \$127,000 contingency; \$178,000 construction management, administration, testing and inspection) at CCI 4328; and equipment \$266,000 at EPI 2649.

\$157,000 local project costs previously allocated: preliminary plans \$157,000

\$3,139,000 local project funds to be allocated: working drawings \$182,000, construction \$2,829,000 (\$2,524,000 contracts; \$127,000 contingency; \$178,000 construction management, administration, testing and inspection at CCI 4328); and equipment \$128,000 at EPI 2649

CEQA

This project has been identified in the college's Environmental Impact Report, State Clearinghouse #2002091037.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve working drawings: November 2006
Complete Construction: February 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 26

**CALIFORNIA COMMUNITY COLLEGES (6870)
MERCED COMMUNITY COLLEGE DISTRICT; LESHER BUILDING
MERCED COLLEGE, MERCED COUNTY**

Authority: Chapter 38/05, Item 6870-301-6041 (21)

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS – 26

California Community Colleges
Merced Community College District; Leshar Building
Merced College, Merced County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. This project remodels the Leshar Building to centralize the student services functions. Space types include 646 assignable square feet (asf) lecture, 844 asf non-instructional laboratory, 11,638 asf office, 1,733 asf audio/visual TV, 1,629 asf other space with a 1,571 asf district-funded bookstore.

Funding and Project Cost Verification

The project is within cost.

\$5,266,000 total authorized project cost

\$5,266,000 total estimated project cost

\$85,000 state project costs previously allocated: preliminary plans \$85,000

\$2,542,000 state project funds to be allocated: working drawings \$56,000, construction \$2,430,000 (\$2,107,000 contracts; \$140,000 contingency; \$183,000 construction management, administration, testing and inspection) at CCI 4328; and equipment \$56,000 at EPI 2649.

\$200,000 local project costs previously allocated: preliminary plans \$200,000

\$2,439,000 local project funds to be allocated: working drawings \$171,000, construction \$2,212,000 (\$1,889,000 contracts; \$140,000 contingency; \$183,000 construction management, administration, testing and inspection at CCI 4328); and equipment \$56,000 at EPI 2649

CEQA

A Notice of Determination (2003061147) was filed with the State Clearinghouse and the public notice period has expired.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve Working Drawings	April 2007
Complete Construction:	May 2008

Staff Recommendation: **Approve preliminary plans**

CONSENT ITEM

CONSENT ITEM – 27

**CALIFORNIA COMMUNITY COLLEGES (6870)
RIO HONDO COMMUNITY COLLEGE DISTRICT; APPLIED TECHNOLOGY BUILDING
RECONSTRUCTION
RIO HONDO COLLEGE, LOS ANGELES COUNTY**

*Authority: Chapter 38/05, Item 6870-301-6041 (29)
~~Chapter /06, Item 6870-491~~
~~Chapter /06, Item 6870-301-0574 (2)~~
[Chapter 47 and 48/06, Item 6870-491](#)
[Chapter 47 and 48/06, Item 6870-301-0574 \(2\)](#)*

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS – 27

California Community Colleges

Rio Hondo Community College District; Applied Technology Building Reconstruction
Rio Hondo College, Los Angeles County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. The authorized project reconstructs 44,410 assignable square feet (asf) in a vocational instructional complex and creates 2,545 asf lecture, 37,830 asf laboratory, 2,505 asf office, 892 asf of technology related space and 638 asf of other space.

Funding and Project Cost Verification

The project is within cost.

\$16,603,000 total authorized project costs

\$16,603,000 total estimated project cost

\$378,000 project costs previously allocated: preliminary plans \$378,000

\$16,225,000 project costs to be allocated: working drawings \$450,000, construction \$14,650,000 (\$12,942,000 contracts; \$906,000 contingency; \$802,000 construction management, administration, testing and inspection) at CCCI 4421 and equipment \$1,125,000 at EPI 2726

CEQA

The district filed a campus-wide Environmental Impact Report (2005011001) was filed on February 9, 2006 and the public notice period expired without comment.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve preliminary plans	July 2006
Approve working drawings	January 2007
Complete Construction	May 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 28

**CALIFORNIA COMMUNITY COLLEGES (6870)
SAN DIEGO COMMUNITY COLLEGE DISTRICT; SEISMIC RETROFIT DISTRICT
HEADQUARTERS BUILDING
SAN DIEGO DISTRICT OFFICE, SAN DIEGO COUNTY**

Authority: Chapter 106/01, Item 6870-301-0574 (53)
Chapter 379/02, Item 6870-490
Chapter 157/03, Item 6870-490
Chapter 208/04, Item 6870-490
~~Chapter /06, Item 6870-497~~
~~Chapter /06, 6870-301-0574 (3)~~
[Chapter 47 and 48/06, Item 6870-497](#)
[Chapter 47 and 48/06, 6870-301-0574 \(3\)](#)

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS – 28

San Diego Community College District
San Diego District Office, San Diego County
Seismic Retrofit District Headquarters Building

Action Requested

The requested action will approve preliminary plans.

Scope Description

This project is within scope. This project will seismically retrofit (46,370 assignable square feet) the district headquarters building to meet code requirements and structural safety.

Funding and Project Cost Verification

This project is within cost.

\$4,982,000 total authorized project costs

\$4,982,000 total estimated project costs

\$299,000 state project costs previously allocated: preliminary plans \$137,000, working drawings \$162,000 at CCI 4019

\$4,683,000 state project costs to be allocated: construction \$4,683,000 (\$4,036,000 contracts, \$283,000 contingency and \$364,000 tests and inspections, architectural oversight during construction) at CCI 4421

CEQA

A Notice of Exemption (#2000108115) was filed with the State Clearinghouse and the waiting period has expired.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Complete working drawings: June 2005

Award contract: July 2006

Complete construction: June 2007

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 29

**CALIFORNIA COMMUNITY COLLEGES (6870)
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT; ALLIED HEALTH VOCATIONAL
TRAINING CENTER
SKYLINE COLLEGE, SAN MATEO COUNTY**

Authority: Chapter 38/05, Item 6870-301-6041 (37)
~~Chapter /06, Item 6870-491~~
~~Chapter /06, Item 6870-301-6028 (5)~~
[Chapter 47 and 48/06, Item 6870-491](#)
[Chapter 47 and 48/06, Item 6870-301-6028 \(5\)](#)

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS – 29

California Community Colleges
San Mateo County Community College District; Allied Health Vocational Training Center
Skyline College, San Mateo County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. The authorized project renovates 25,964 assignable square feet (asf) including 5,014 asf lecture space, 17,683 asf instructional laboratory space, 3,162 asf office space, and 105 asf other space. A minor reduction of 752 asf was made to the renovated project space to comply with safety and fire code regulations. The revised project renovates 25,212 asf where the majority of the reduction occurred in the laboratory.

Funding and Project Cost Verification

The project is within cost.

\$12,613,000 total authorized project cost

\$12,613,000 total estimated project cost

\$157,000 state project costs previously allocated: preliminary plans \$157,000 at CCCI 4328

\$12,127,000 state project costs to be allocated: working drawings \$119,000, construction \$11,129,000 (\$9,822,000 contracts; \$688,000 contingency; \$619,000 construction management, administration, testing and inspection) at CCCI 4421 and equipment \$879,000 at EPI 2726

\$128,000 local funds previously allocated: preliminary plans \$128,000 at CCCI 4328

\$201,000 local funds to be allocated: working drawings \$201,000 at CCCI 4328

CEQA

A Final Notice of Categorical Exemption (2003128261) was filed with the State Clearinghouse on December 12, 2003 and the public notice period has expired.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve working drawings	March 2007
Complete Construction	June 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 30

**CALIFORNIA COMMUNITY COLLEGES (6870)
SANTA BARBARA COMMUNITY COLLEGE DISTRICT; DRAMA/MUSIC BUILDING
RENOVATION
SANTA BARBARA CITY COLLEGE, SANTA BARBARA COUNTY**

*Authority: Chapter 38/05, Item 6870-301-6041 (39)
~~Chapter /06, Item 6870-491~~
~~Chapter /06, Item 6870-301-6041 (4)~~
Chapter 47 and 48/06, Item 6870-491
Chapter 47 and 48/06, Item 6870-301-6041 (4)*

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS – 30

California Community Colleges
Santa Barbara Community College District; Drama/Music Building Renovation
Santa Barbara City College, Santa Barbara County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. The authorized scope of work modernizes the 29,737 assignable square feet (asf) Drama/Music Building and provides for 2,515 asf lecture space, 14,442 asf instructional laboratory space, 1,800 asf office space, 602 asf technology space, and 10,378 asf of dramatic arts assembly space.

The design layout of the existing structure has been found to be fixed and has made it impossible to accommodate persons with limited mobility. As a result, a modest expansion will be required to meet this need. The modified project reconstructs 34,886 total asf including 2,515 asf lecture space, 17,593 asf instructional laboratory space, 1,800 asf office space, 602 asf technology space, and 12,376 asf of dramatic arts assembly space. This expansion will not cost the state any additional funds because the preliminary plans have identified some renovation measures that will not be necessary.

Funding and Project Cost Verification

The project is within cost.

\$12,694,000 total authorized project cost

\$12,694,000 total estimated project cost

\$324,000 project costs previously allocated: preliminary plans \$324,000 at CCCI 4328

\$12,370,000 project costs to be allocated: working drawings \$462,000, construction \$11,828,000 (\$10,400,000 contracts; \$728,000 contingency; \$700,000 construction management, administration, testing and inspection) at CCCI 4421 and equipment \$80,000 at EPI 2726

CEQA

The district filed a Notice of Exemption on April 18, 2006 and the thirty-five day public notice period expired without comment.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve working drawings	April 2007
Complete Construction	May 2008

Staff Recommendation: Approve preliminary plans

CONSENT ITEM

CONSENT ITEM – 31

**CALIFORNIA COMMUNITY COLLEGES (6870)
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT; OTAY MESA CENTER
SAN DIEGO COUNTY**

Authority: Chapter 208/04, Item 6870-301-6041 (62)

Approve preliminary plans

APPROVED 2/0

CONSENT ITEM

STAFF ANALYSIS – 31

California Community Colleges
Southwestern Community College District; Otay Mesa Center
San Diego County

Action Requested

The requested action will approve preliminary plans.

Scope Description

The project is within scope. This request approves the locally funded preliminary plans for the project. The state portion provides equipment for a locally funded 53,500 assignable square feet (asf) multi-use complex at the Otay Mesa Center. The space includes 7,100 asf lecture, 14,200 asf laboratory, 8,100 asf office, 3,700 asf library, 7,500 asf AV/TV, 1,500 asf physical education, and 11,400 asf of other space.

Funding and Project Cost Verification

The project is within cost.

\$39,967,000 total authorized project cost

\$39,967,000 total estimated project cost

\$3,033,000 state project costs to be allocated: equipment \$3,033,000 at EPI 2564

\$10,039,000 local funds previously allocated: acquisition \$8,300,000; and preliminary plans \$1,739,000 at CCCI 4019

\$26,895,000 local funds to be allocated: working drawings \$2,401,000, and construction \$24,494,000 (\$22,195,000 contracts; \$1,110,000 contingency; \$1,189,000 construction management, administration, testing and inspection) at CCCI 4019

CEQA

A Negative Declaration (2005091113) was filed for the project on September 20, 2005 and the public notice period expired October 19, 2005 without comment.

Due Diligence

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

Project Schedule

The project schedule is as follows:

Approve working drawings	August 2006
Complete Construction	June 2008

Staff Recommendation: Approve preliminary plans

ACTION ITEM

ACTION ITEM – 32

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF PARKS AND RECREATION (3790)
COAST DAIRIES PROJECT
SANTA CRUZ COUNTY
DPR Parcel A47101, DGS Parcel 10226

*Authority: Chapter 928/97, Sec. 23, Item 3760-801-001;
Chapter 324/98, Item 3760-301-0001(0.1);
Chapter 379/02, Item 3790-301-6029(6),
as reappropriated by Chapter 38/05, Item 3790-491*

Authorize acquisition consistent with staff analysis

APPROVED 2/0

ACTION ITEM

STAFF ANALYSIS ITEM – 32

Department of General Services
Department of Parks and Recreation
Coast Dairies Project
Santa Cruz County

Action requested

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

Scope Description

This project is within scope. The project involves acquisition of approximately 407 acres located along Highway One in Santa Cruz County near the town of Davenport. The property is comprised of approximately 400 acres located on the coast side of the highway in four non-contiguous strips of land and a seven-acre parcel located on the east side of the highway which includes the historic Laguna Inn.

Acquisition of this property will: (1) allow the State to conserve and enhance the biological open space values of the property; (2) provide the Department of Park and Recreation (DPR) with a substantial reach of coastal frontage to use for public access, a coastal trail, and scenic observation; (3) create new and diverse recreational and educational opportunities by making available to the public an additional 4.2 miles of coastline property; (4) allow the State to maintain and enhance sustainable agriculture by the continuation of the agricultural farming that has existed for decades; and (5) meet DPR's objective of acquiring adjacent properties to the Sand Hill Bluff portion of Wilder Ranch State Park.

Funding and Project Cost Verification

This project is within cost. A total of \$6,000,000 in funding has been provided for this acquisition. Chapter 928/97, Sec. 23, Item 3760-801-001 provides \$1,000,000 and Chapter 324/98, Item 3760-301-0001(0.1) provides \$5,000,000 via State Coastal Conservancy (SCC) Grant No. 98-071 to the California non-profit organization, Trust for Public Lands (TPL), to acquire some 6,831 acres of coastal land. In 1998, TPL used this grant to acquire Coast Dairies & Land Co., a California public benefit corporation (Coast Dairies), including all of its real estate assets consisting solely of the 6,831 acres of which the approximate 407 acres is a part.

Chapter 379/02, Item 3790-301-6029(6), as reappropriated by Chapter 38/05, Item 3790-491, provides a total of \$40,000,000 for the acquisition of high priority parcels of land. The approximate 407-acre property is to be transferred to the DPR at no additional cost to the State, except for overhead and estimated closing costs. The balance of the appropriation is sufficient to acquire the subject property in accordance with legislative intent.

\$48,000	total authorized project cost
\$48,000	total estimated project cost
\$31,000	project costs previously allocated (DGS staff costs and consultant's time for environmental and acquisition reviews and CEQA filing)
\$17,000	project costs to be allocated: \$17,000 for additional DGS staff time and estimated closing costs

CEQA

A Notice of Exemption was filed with the State Clearinghouse on February 6, 2004, and the statute of limitations expired on March 12, 2004. No legal challenges were filed.

Project Schedule

The project schedule is as follows:

The anticipated close of escrow is August 2006.

Condition of Property

The proposed transfer of the Coast Dairies property includes the acquisition of five separate parcels. For purposes of environmental due diligence, the property was broken down into four areas and characterized as follows: (1) the Fambrini Farm, (2) the Silverking Oceanic Farms/US Abalone, (3) the historic Laguna Inn, and (4) the former Mondo Farm (aka Seaside Ranch). DGS staff from the Environmental Services Section (ESS) conducted site visits to the property in January and October 2004, October 2005, and April 2006. The subject property is to be conveyed to DPR for preservation and management as an element of coastal parkland in the Santa Cruz-Davenport area.

The subject Coast Dairies property is situated in and near the community of Davenport in Santa Cruz County. Except for the historic Laguna Inn property, the parcels to be conveyed are located between Highway 1 and the Pacific Ocean. The historic Laguna Inn is immediately east of Highway 1 at the southern most portion of the acquisition property and is a turn-of-the-century roadhouse that served travelers on Highway 1. The remainder of the properties have been in coastal agricultural production (row crops, pasture for dairy cattle, etc.) and mining for shale and limestone for several decades.

Fambrini Farm

This approximate 80-acre property has been in agricultural production since the early 1900's. The majority of this site is row-crop farming. The site contains limited farm-related improvements such as irrigation wells and basins, access roads (including a driveway to Highway 1), and a modest assemblage of aging buildings that have or do serve as equipment barns, housing, and crop processing. This property will remain as a working landscape for coastal farming; therefore all of the fields and structures will remain after the conveyance.

The environmental site assessments conducted by Coast Dairies for the conveyance revealed that the area where the farm buildings are located once contained a 300-gallon underground petroleum storage tank (UST), which was used to fuel the farms tractors and other equipment. An environmental site assessment revealed that, while the tank had been removed, it had been leaking for an undisclosed period of time and that the site had not been formally closed in conformance with county and State water quality standards. Subsequent soil investigations resulted in the need to excavate approximately 500 cubic yards of soil in and near the former fuel tank that contained high concentrations of petroleum residues. The approximate surface area impacted by the soil contamination and groundwater plume is one-third of an acre (approximately 80' x 200' x 30' deep).

Once the soil was removed, additional soil testing indicated the presence of a small plume of petroleum residue in the soil and groundwater that extended from the tank site down gradient of the barn area to the edge of the closest farm field. A Corrective Action Plan (the Plan) to remediate for the petroleum in the soil column and ground water was prepared by a qualified remediation consultant hired by Coast Dairies and approved by the Regional Water Quality Control Board (RWQCB) in February 2006. The Plan includes a pilot study with initial treatability results that show success in reducing the contamination. However, the RWQCB requested additional information to add to the Plan, which was provided in early June 2006. Confirmation of the finalized Plan is expected in late July 2006. The schedule for on-site oxidant injections (the first phase of the Plan) will not be set until final confirmation of the Plan is received. The Plan commits Coast Dairies and any subsequent landowner to achieving a "no further action" ("NFA") contamination level acceptable to the RWQCB and local county water quality agency within an estimated three years of the initiation of the Plan.

The Plan and related soil/groundwater testing has been peer-reviewed by a qualified geotechnical consultant secured by DGS/ESS. It is the opinion of this consultant that the Plan will be responsive to the contamination. Implementation of the Plan is expected to take 2-3 years or more to reach the "NFA" level. The RWQCB may require additional measures if the remediation objective is not achieved at the end of three years. Due to the nature of the underlying soils and residual petroleum at this site, DGS/ESS does not anticipate that DPR will be able to use groundwater in this area and surface use of the barn area will also be limited to non-visitor uses.

The Fambrini Farm site contains no other known contamination of concern. It is noted, however, that all the buildings on the site will remain after conveyance.

Silverking Oceanic Farms/US Abalone

The portion of the acquisition containing the abalone farm is comprised of a small area of fallow land bounded on its west side by an installation of open fiberglass tanks used for rearing abalone until they reach market size. The property directly west of this installation is the main part of the abalone farm.

The installation consists of tanks mounted on a low framework under an open canopy that provides shade for the young mollusks. Ocean water piped from an intake in a nearby cove

continuously supplies salt water to the tank and the abalone are fed with kelp harvested from the nearby ocean. There are no permanent foundations for the tanks or pumps.

The Silverking Oceanic Farm contained no areas of recognized environmental concern.

Laguna Inn

Five permanent structures, one of which is the historic Laguna Inn, are located on an approximate seven-acre parcel east of Highway 1. The historic Laguna Inn is comprised of a small, single-story wood frame building that was built in the 1910's or 1920's which served as a transportation stop in the area for many years and it is historic in that respect. However, per the State Historic Preservation Office (SHPO), it is not listed on the national or state registry. This parcel also contains various associated out buildings including a barn, garage/shop, storage shed and another small vacant residential structure. There is also a portion of a coastal creek and fallow farmland. While isolated from coastal views by the intervening terrain of Highway 1, access to the coast is provided along the reach of creek that crosses under the state highway directly south of the Laguna Inn buildings.

The current renters of the Laguna Inn property worked, in coordination with Coast Dairies and DPR staff, to remove various debris, non-operational vehicles, and potentially hazardous materials identified during a preliminary site visit for the site selection phase of this transaction. During the April 2006 site visit, it was noted that an inoperable vehicle, camper shell, and engine chassis are still on the property. The DPR has indicated that it is not requiring that these three items be removed prior to its acquisition of the property.

The historic nature of the property will not impose any special preservation burdens on DPR because the building has been substantially altered, especially the building's interior.

The Laguna Inn property has no history of underground storage tanks on or adjacent to the subject property. Other than the insignificant debris lying around, the historic Laguna Inn site contained no areas of recognized environmental concern.

Former Mondo Farm (aka Seaside Ranch)

The former Mondo Farm is the northern-most portion of the Coast Dairies acquisition located west of Highway 1. This nearly flat, coastal terrace farm is situated directly north of the Fambrini Farm property. This property has also been in agricultural production since the early 1900's. The majority of this site is row-crop farming (squash, Brussels sprouts, etc.). The site also contains a few aging single-story, farm-related buildings that have or do serve as housing, equipment barns and storage sheds. As with the Fambrini Farm property, environmental site assessments were prepared for the Mondo Farm (2004), especially to investigate potential soil contamination in and around the farm buildings. A Phase II environmental site assessment was required where subsurface soil testing was conducted. The testing confirmed there were no concentrations of analytes that measured above instrument detection limits. Therefore, no additional site characterization was warranted. No other hazardous conditions were observed during the site visits.

Other

- This property was site selected by the Public Works Board (PWB) on March 12, 2004.
- TPL, using \$6 million in State funds via a SCC grant (see Funding and Project Cost Verification for details), acquired the assets of Coast Dairies, which consisted solely of 6,831 acres of land along Highway One near the town of Davenport. Title to the property is held by Coast Dairies, which is now owned by TPL.
- TPL intends to transfer the entire 6,831 acres into government and non-profit ownership. DPR is to receive approximately 407 acres including the historic Laguna Inn. The balance of the property is to be transferred to the Bureau of Land Management (BLM) and a local

non-profit, Agri-Culture. These transfers will be subject to the terms of the original SCC grant agreement. The acquisition by DPR and its proposed use on the property is not inconsistent with the SCC grant.

- The property is encumbered by the California Land Conservation Act of 1965 (Williamson Act). On May 16, 2005, notification was submitted to the Director of the Department of Conservation advising the Department of the State's proposed acquisition of Williamson Act contracted land.
- There are five leases, covering approximately 228 acres of the property being acquired, that DPR is assuming and the terms and conditions in effect at the time of close of escrow. Two of the leases are agricultural leases for farming such items as artichokes, strawberries and other row crops; one is a commercial abalone lease; the fourth is a residential lease of what is commonly referred to as the Historic Laguna Inn; and the fifth is an agricultural lease, covering some 85 acres, that is due to expire August 31, 2006. DPR does not plan on initiating discussions with prospective lessees for a new lease until DPR's local District staff (the District) determines setbacks and other parameters that are necessary in a new agreement.
- Coast Dairies has signed new agreements for the two continuing agricultural leases and the commercial abalone lease with provisions regarding: (1) the use of pest control and hazardous substances; and (2) responsibility for taxes and assessments. Additionally, the new agreements extend the two agricultural leases into 2008 (the commercial abalone lease already has a lease term with an option to renew through 2021). All three of these lessees have also executed estoppel certificates. As a condition of the PAA and prior to the close of escrow, Coast Dairies is to provide the State a fully executed estoppel certificate from the residential lessee for the fourth continuing lease.
- The two agricultural leases have worker housing and seasonal employees who reside on the property; however, because DPR has no intent to terminate the agricultural leases, and upon advice of legal counsel that no relocation assistance benefits are triggered because there is no intent to displace the lessee and associated employees, DPR feels the risk of relocation benefit liability to the State is minimal.
- The residential lease has expired and is being continued on a month-to-month tenancy that DPR plans to terminate after the close of escrow. In the coming weeks, DPR will offer an entitlement package for Relocation Assistance Program benefits (RAP) to the tenant. Should the residential tenant desire to continue to occupy the residence and request a waiver of the RAP benefits in exchange for their continued occupancy on a rent free or reduced rent basis, DPR will consider having the tenant remain for as long as the value of relocation benefits provide. DPR's offer to reduce the rent is to be predicated on allowing the tenant to do a number of repair and maintenance tasks that have been identified as being helpful to maintain the structure by the District.
- Based on the four leases that are to continue beyond August 31, 2006, three of which generate rental income, the State will receive approximately \$24,281 in annual rental income. Should DPR close escrow prior to the expiration of the lease that is to expire on August 31, 2006, DPR will receive the pro-rated income from that lease and the others for the month.
- Within three years after the closing of this acquisition, Coast Dairies will be responsible for obtaining a No Further Action letter (NFA letter) from the RWQRB regarding the remediation area (Fambrini site). It is estimated that the Plan to remediate the Fambrini site will cost Coast Dairies \$158,000. The environmental consultant believes the Plan is reasonable and that the estimated cost appears adequate to attain the NFA letter. There are, however, still unknown variables beyond the State's control as to the effectiveness of this plan including: 1) the possibility that Coast Dairies may exhaust its resources before obtaining the NFA letter; 2) the State may be confronted with the possibility that the NFA letter is not achieved within 3 years; 3) Coast Dairies may not be responsive to the RWQCB's requests if the remediation and/or monitoring goes beyond a 3 year period; and 4) ultimately the State may have a potential liability and responsibility for the remediation of the Fambrini site.

- Under the PAA, the State will provide Coast Dairies and its agents a Right of Entry permit for their access to and from the Fambrini site to complete the monitoring, testing and remediation necessary to obtain the NFA letter.
- There is a Three Party Agreement to the Purchase Acquisition Agreement (PAA) in which Coast Dairies and TPL provide assurances of financial support to obtain the NFA letter, including TPL financial support in the amount of \$158,000 for the estimated cost of the remediation and monitoring plan.
- As provided for in the PAA, at the close of escrow, Coast Dairies is to deposit \$25,000 into a remediation escrow account. The \$25,000 is to be held in the account until Coast Dairies obtains the NFA letter from the RWQRB. Coast Dairies and State will execute instructions to the escrow holder regarding the terms for release of the funds in the event that Coast Dairies defaults in its obligation to complete the cleanup and remediation necessary to obtain the NFA letter.
- Additionally, as part of the PAA, Coast Dairies, as lessor to a mineral lease (Cemex Lease), is to pledge to the State the minerals and the right to receive royalties on all of its land (approximately 6,831 acres) as security for completing the remediation of the Fambrini site. Under the terms of the Cemex Lease, Coast Dairies receives a minimum annual royalty of \$25,500. The Cemex Lease has a remaining term extending to 2018 plus options to extend for an additional 49 years. Coast Dairies is to execute and record a Memorandum of Unrecorded Agreement to provide constructive notice of this commitment. If Coast Dairies fails to satisfy its remediation obligation of the Fambrini site, the State may attempt through legal action to acquire the royalties, as a successor to Coast Dairies rights.
- The DPR District Office will work closely with Coast Dairies' environmental consultants post close of escrow with respect to what measures, if any, may be needed while monitoring and testing of the Fambrini site. It may be necessary to post signs to minimize access to the site because of the testing that is to occur. It is not yet known if fencing or other physical barriers will be needed to also limit access. DPR will work with Coast Dairies in taking appropriate measures to assure the monitoring, testing and remediation is carried out in a safe and professional manner.
- There is a reservation of the oil, gas and mineral rights and the exclusive right to enter the property (get exact language from deed) in Parcel 6 of the legal description of the property. To Coast Dairies' knowledge, this right has never been exercised. The land involved represents approximately 23 acres immediately south of the Laguna Inn and Highway One (on the coastal side of Highway One) at the extreme southeasterly end of this property. Based on DPR's research with the State's Department of Conservation, there has been no oil, gas, or mining activity in the immediate vicinity and the likelihood of this occurring within the Coastal Zone with the State Coastal Commission is extremely remote. Should there be any attempt to exercise these surface entry rights, DPR would attempt to assure that minimal disruption of the State's use of the property occurs.
- The Laguna Inn is a historic structure that is located on the property. DPR is aware that the State Historic Preservation Office (SHPO) will need to be consulted regarding any remodeling, alteration, or demolition of the building. This will be done after the close of escrow. The Laguna Inn property is considered by DPR as a potential site for staging public access to the other coastal areas in this transaction.
- A Coast Dairies Long -Term Resource Protection and Access Plan (LTRPAP) dated February 2004 was prepared by representatives of the BLM, DPR, TPL, Coast Dairies, Save-the-Redwoods League (SRL), Land Trust of Santa Cruz County, and the SCC. The LTRPAP was created to provide direction and guidance on how to best manage natural and physical resources, visitor use, development and use of lands and facilities, and resource protection of the property. Subject to the resources available, DPR plans to continue the protection of threatened and endangered species, and farming operations that have existed over the years, and allow recreational use of the property consistent with its resources and ability to provide services and limited infrastructure needed to ensure public health and safety. The acquisition by DPR and its proposed use on the property is not inconsistent with

the LTRPAP.

- The DPR estimates the need for 9 personnel years (PYs) and ongoing costs of \$1,389,000 for personal services and operating expenses to provide for public safety, public access, resource protection, and maintenance. The DPR further estimates an additional one-time cost of \$1,046,000 for fencing, signage, portable toilets, baseline resource studies, removal of exotic plant infestations, and one-time purchase of equipment. The DPR has indicated that this need is based on managing the current level of public use and has no plans to expand the future level of public use.
- The recently enacted Budget Act of 2006 provides a \$15 million augmentation to DPR's baseline budget to increase support for new and existing state parks. In response to this increased level of funding, the DPR has submitted an expenditure plan for these funds. Specifically, the DPR has earmarked a sufficient portion of these funds to fully support the Coast Dairies' ongoing operational costs (as outlined above).
- The DPR is not aware of any lawsuits pending concerning the property. The PAA will require delivery of title to the property free and clear of any mortgages or liens.
- Except for the Coast Dairies indemnification to the State for any claims or damages relating specifically to the hazardous substances release on the Fambrini site by the UST, which will continue until a NFA letter is received by the State from the RWQCB, there is no standard indemnification language in favor of the State. Except for items previously disclosed to the State and identified in the PAA which relate to the Fambrini site, where the extent of potential contamination has been identified to cover an approximate 80 foot by 200 foot area, Coast Dairies represents that it knows of no other conditions related to hazardous materials which may exist, and will provide an environmental insurance policy for all unknown risks (excluding the known Fambrini site contamination) for five years on all 6,831 acres (i.e., in favor of the State, BLM and non-profit Agri-culture) with a policy limit of Five Million Dollars, and a \$250,000 deductible. Because this blanket insurance policy will apply to State-acquired and non-state acquired lands, there is the possibility that the policy limits could be partially or entirely depleted in non-state claims before the State is able to be fully covered by its own claims. However, because the State intends to close escrow on its transaction before BLM and Agri-culture close on their escrows (anticipated later in 2006), this will minimize the potential risk to the State. With the exception of the Fambrini site, environmental surveys of this property have not identified any other conditions that would likely pose an exceptional risk to the State, and given the historical agricultural use of this and the adjoining properties, the risk associated with the lack of indemnification language for this project appears relatively low.
- There is no implied dedication involved in this project.

Staff Recommendation: Authorize acquisition

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ACTION ITEM

ACTION ITEM – 33

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
FRED C. NELLES YOUTH CORRECTIONAL FACILITY, 74 ACRES OF LAND WITH
IMPROVEMENTS – WHITTIER BOULEVARD
CITY OF WHITTIER, COUNTY OF LOS ANGELES
Surplus Parcel Number SSL 628

Consider determining a sales price of the surplused Fred C. Nelles facility, 74 acres of land located in the City of Whittier.

ITEM PULLED AT REQUEST OF THE DEPARTMENT OF GENERAL SERVICES

ACTION ITEM

STAFF ANALYSIS ITEM – 33

Department of General Services
Department of Corrections and Rehabilitation
Fred C. Nelles Youth Correctional Facility 74 acres of land with improvements on Whittier Blvd.
City of Whittier, Los Angeles County

To be discussed at the Board Meeting.

ACTION ITEM

ACTION ITEM – 34

DEPARTMENT OF GENERAL SERVICES (1760)
DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
FRED C. NELLES YOUTH CORRECTIONAL FACILITY, 74 ACRES OF LAND WITH
IMPROVEMENTS – WHITTIER BOULEVARD
CITY OF WHITTIER, COUNTY OF LOS ANGELES
Surplus Parcel Number SSL 628

Authority: Chapter 925 of the Statutes of 2004

Consider approving the sale of approximately 74 acres of land known as the Fred C. Nelles Youth Correctional facility located in the City of Whittier. If approved, the sale shall be contingent upon the defeasance of the appropriate amount of the State Public Works Board Lease Revenue Bonds (Department of Youth Authority) 2000 Series B (Various Correctional Projects) associated with the financing of a single story maintenance building located on the property.

ITEM PULLED AT REQUEST OF THE DEPARTMENT OF GENERAL SERVICES

OTHER BUSINESS

OTHER ITEM –

None.

REPORTABLES

To be presented at meeting.

Respectfully Submitted
By:

BRIAN DEWEY
Assistant Administrative Secretary