



## AGENDA WITH ANALYSIS

### STATE PUBLIC WORKS BOARD

Thursday, April 13, 2017, at 10:00 a.m. in  
Room 113, State Capitol  
Sacramento, California

I. Roll Call		
II. Bond Items	Page	2
III. Approval of minutes from the March 10 and March 23, 2017 meetings		
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Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

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

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

## BOND ITEMS

### BOND ITEM—1

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
JAIL PROJECT  
SUTTER COUNTY

*Authority: Sections 15820.91 – 15820.917 of the Government Code*

Consider adoption of a resolution to:

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

Total Bond Appropriation

**\$9,741,000**

## BOND ITEMS

### STAFF ANALYSIS ITEM—1

Department of Corrections and Rehabilitation  
Jail Project  
Sutter County

#### Action Requested

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

#### Scope Description

**This project is within scope.** This project will design and construct renovations to and an expansion of the existing county jail on approximately 2± acres of a greater 14± acres of county-owned land located in Yuba City. The expansion will create approximately 7,600 square feet (sf) of additional housing and program area and renovate approximately 2,300 sf of the existing jail and kitchen space. The project also includes the addition of fire sprinklers and seismic upgrades to the existing jail for compliance with current code requirements.

The new single-story housing and program area expansion will include a male housing unit with approximately 28 maximum security beds, a female dormitory with approximately 14 medium security beds, recreation yards, and program space.

The renovations to the existing jail will include expanding and upgrading the kitchen and converting the existing women's recreation yard into a new medical services area with medical exam and administrative space. The renovations will also include safety and sobering cells, office space, an interview room, and storage space.

Additionally, the existing facility will be retrofitted with fire sprinklers and seismic upgrades to ensure the existing facility meets current building code and seismic standards. The seismic upgrades will include improving the existing seismic joints between the administration wing and the main jail, reconstructing a portion of one of the administration wing walls, and strengthening the exterior walls and some interior walls of the administration wing through additional foundation anchors and roof connections.

#### Funding and Project Cost Verification

**This project is not within cost.** Section 15820.913 of the Government Code (AB 900) appropriates \$870,074,000 lease revenue bond financing authority to partially finance the design and construction of local jail facilities. Award of this funding to individual counties is administered by the Board of State and Community Corrections (BSCC). The BSCC has conditionally awarded \$9,741,000 from this appropriation to Sutter County for this project. All acquisition/study and any design and construction costs in addition to this award amount will be paid by the county.

On October 18, 2013, the Board established the scope, cost, and schedule of this project, allocating \$9,741,000 of the \$870,074,000 lease revenue bond financing authority appropriated in section 15820.913 of the Government Code to partially finance the design and construction of this project. At the time of establishment, the total estimated project cost was \$10,552,000. On April 10, 2015, the Board approved the preliminary plans and revised costs for this project, for a total estimated project cost of \$11,208,000. Subsequent to that action, a new project cost estimate was prepared in association with the completion of working drawings. Based on this revised estimate, the current total estimated project cost is \$13,787,000, which includes a potential deficit of \$2,579,000.

\$ 11,208,000	Total authorized project cost
\$ 13,787,000	Total estimated project cost
\$ 9,741,000	State costs previously allocated: \$262,000 for preliminary plans, \$599,000 for working drawings, and \$8,880,000 for construction (\$7,105,000 contract, \$704,000 contingency, \$152,000 A&E, \$243,000 agency retained, and \$676,000 other project costs)
	State costs adjustment: an increase of \$25,000 for working drawings and a decrease of \$25,000 for construction (a decrease of \$25,000 other project costs)
\$ 1,467,000	Local costs previously allocated: \$93,000 for study/acquisition, \$244,000 for preliminary plans, \$22,000 for working drawings, and \$1,108,000 for construction (\$715,000 contract, \$226,000 A&E, and \$167,000 other project costs)
\$ 2,579,000	Local costs potential deficit: \$27,000 for study/acquisition, \$3,000 for preliminary plans, \$92,000 for working drawings, and \$2,457,000 for construction (an increase of \$2,234,000 contract, \$201,000 contingency, and \$22,000 A&E)

CEQA

A Notice of Exemption was filed with the Sutter County Clerk on April 12, 2012, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on October 22, 2014, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	April 2015
Complete working drawings	January 2017
Start construction	May 2017
Complete construction	November 2018

**Staff Recommendation:**     **Adopt resolution.**

## CONSENT ITEM

### CONSENT ITEM – 1

**JUDICIAL COUNCIL OF CALIFORNIA (0250)  
NEW STOCKTON COURTHOUSE  
SAN JOAQUIN COUNTY**

*Authority: Chapter 171 and 172, Statutes of 2007, Item 0250-301-3037 (7)  
Chapter 268 and 269, Statutes of 2008, Item 0250-301-3037 (7)  
Chapter 1, Statutes of 2009, Fourth Extraordinary Session Item,  
0250-301-3037 (11)  
Chapter 712, Statutes of 2010, Item 0250-301-0660 (6)  
Chapter 33, Statutes of 2011, Item 0250-490 (1) (6)  
Chapter 20, Statutes of 2013, Item 0250-490 (1) (6)  
Chapter 20, Statutes of 2013, Item 0250-301-3138 (6)*

**Consider approving an augmentation**

**\$10,969,000  
(4.0 percent of appropriation)  
(13.0 percent of cumulative)**

## CONSENT ITEM

### STAFF ANALYSIS - ITEM 1

Judicial Council of California  
New Stockton Courthouse  
San Joaquin County

Action Requested

**If approved, the requested action would approve an augmentation.**

Scope Description

**This project is within scope.** The scope of this project consists of a new 30-courtroom courthouse of approximately 310,500 square feet that will consolidate court operations from two facilities and will relieve the current space shortfall, increase security, and replace inadequate and obsolete buildings in the San Joaquin County.

Funding and Cost Verification

**This project is not within cost.** A total of \$272,939,000 has been appropriated for this project (\$240,183,000 lease revenue bonds and \$32,756,000 Immediate and Critical Needs Account). Including a prior augmentation of \$24,493,000 (9.0 percent of total project costs), total authorized project costs are now \$297,432,000. The prior augmentation addressed changes required by the State Fire Marshal (SFM) as well as errors and omissions in the design process

that were not realized until on-site SFM inspections identified deficiencies. These issues resulted in a need for additional architectural and engineering services, and extended insurance coverage for a longer than estimated construction period. The Council indicates it may seek to recover, from the design firm, some of these additional costs that stem from the errors and omissions.

As the changes to address SFM requirements were made, the Council identified a need for this additional augmentation of \$10,969,000 (cumulatively \$35,462,000, or 13.0 percent). This augmentation covers the actual re-design costs, which were estimated at the time of the prior augmentation, additional work resulting from SFM inspections, and a modest contingency replenishment to ensure the project can be completed without another augmentation request.

On March 24, 2017, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve the scope change of this project and to recommend the Board recognize it no sooner than 20 days from that date.

\$297,432,000	Total authorized project costs
\$308,401,000	Total estimated project costs
\$297,432,000	Project costs previously allocated: \$6,570,000 acquisition, \$9,917,000 preliminary plans, \$13,186,000 working drawings, and \$267,759,000 construction (\$249,945,000 contract, \$3,418,000 A&E, and \$14,396,000 other project costs)
\$10,969,000	Augmentation requested: (re-design costs \$600,000, changes due to SFM inspections \$7,570,000, contingency replenishment \$437,000, and other miscellaneous costs \$2,362,000)

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on August 10, 2009, and the 30-day statute of limitations expired without challenge.

#### Real Estate Due Diligence

A Real Estate Due Diligence letter for this project was completed on December 12, 2013, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

#### Project Schedule

Approve preliminary plans	June 2012
Complete working drawings	October 2013
Start construction	April 2014
Complete construction	June 2017

**Staff Recommendation: Approve augmentation.**

## CONSENT ITEMS

### CONSENT ITEM—2

DEPARTMENT OF PARKS AND RECREATION (3790)  
OCEANO DUNES STATE VEHICULAR RECREATION AREA, PISMO STATE BEACH  
SEDIMENT TRACK-OUT PREVENTION  
SAN LUIS OBISPO COUNTY

*Authority: Chapter 25, Statutes of 2014, Item 3790-301-0263 (5)  
Chapters 10 and 11, Statutes of 2015, Item 3790-301-0263 (2)*

**Consider:**

- a) Recognizing a scope change
- b) Approving an augmentation \$30,000
- c) Recognizing an anticipated deficit (17.1 percent of appropriation)  
(17.1 percent of cumulative)

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—2

Department of Parks and Recreation  
Oceano Dunes State Vehicular Recreation Area,  
Pismo State Beach Sediment Track-Out Prevention  
San Luis Obispo County

Action requested

**If approved, the requested action would recognize a scope change, approve an augmentation, and recognize an anticipated deficit.**

Scope Description

**This project is not within scope.** A scope change is requested to modify the type of track-out prevention measures to be installed at two main exits from the Oceano Dunes State Vehicular Recreation Area (SVRA). The current scope identifies the installation of a series of concrete pits covered with load-bearing steel or fiberglass grates. The proposed alternative design resembles a boat ramp, with large v-grooves, to help shake the sand and dirt off as vehicles exit the beach area.

Funding and Cost Verification

**This project is not within cost.** A total of \$175,000 has been appropriated from the Off-Highway Vehicle Trust Fund for preliminary plans and working drawings, with a total recognized cost of \$707,000. Due to the proposed changes described above, the total project cost is now estimated to be \$1,014,000, resulting in an anticipated deficit of \$277,000. The identified deficit

is based on a conceptual estimate and will be updated upon the completion of the preliminary plans. Furthermore, an augmentation of \$30,000 (17.1 percent of appropriation) is requested for preliminary plans to incorporate the proposed design changes.

At the time the appropriation was made, Parks recognized the approved scope would result in the lowest construction costs; and at that time operating costs were estimated at approximately \$40,000 per year. Parks has now realized that its initial estimate of operating costs was understated. The amount of sand expected to accumulate in the pits from vehicles and other wind-blown sources is more substantial than initially estimated. This will require considerable ongoing maintenance and thus higher total costs after accounting for the expenses of cleaning the pits and disposing of the sand and dirt on a continual basis. The updated operating costs under the approved scope are estimated at \$175,000 per year.

Parks is requesting a scope change for an alternate design approach that will result in lower anticipated operational costs. The proposed alternative design resembles a boat ramp, with large v-grooves, to help shake the sand and dirt off as vehicles exit the beach area. The slope of the ramp will also allow the debris to flow back to the beach area, which minimizes maintenance. The proposed scope will result in higher initial costs, estimated at \$1,014,000. However, ongoing maintenance costs will be reduced by \$55,000 annually, resulting in lower total costs over the life of the project.

On March 23, 2017, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations Committees of its intent to approve a scope change, augmentation, and recognized deficit for this project and to recommend the Board approve the augmentation, and recognize the scope change and anticipated deficit no sooner than 20 days from that date.

\$707,000	Total authorized project costs
\$1,014,000	Total estimated project costs
\$80,000	Project costs previously allocated: preliminary plans
\$627,000	Project costs to be allocated: \$95,000 working drawings and \$532,000 construction (\$317,000 contract, \$22,000 contingency, \$181,000 A&E costs, and \$12,000 agency retained)
\$30,000	Requested augmentation: preliminary plans
\$277,000	Recognized anticipated deficit: construction (\$255,000 contract, \$18,000 contingency, and \$4,000 A&E costs)

#### CEQA

Parks will complete CEQA requirements for this project prior to completion of preliminary plans.

#### Due Diligence

Parks will complete the necessary real estate due diligence.

**Staff Recommendation: Recognize a scope change, approve an augmentation, and recognize an anticipated deficit.**



## ACTION ITEMS

### ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
KINGS COUNTY**

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

**Consider authorizing site selection of 36 assessor’s parcels in full or in part.**

Kings County	
High Speed Rail Authority Parcel Number	Assessor Parcel Number (APN) or Property Location Description
FB-16-0419	014-260-088
FB-16-0419	014-260-090
FB-16-0419	014-260-096
FB-16-0419	014-260-097
FB-16-0419	014-260-098
FB-16-0398	014-130-071
FB-16-0411	014-260-101
FB-16-0066	014-130-070
FB-16-0065	014-130-065
FB-16-0195	014-260-026
FB-16-0118	014-260-065
FB-16-0416	Melga Canal Adjacent to APN 014-260-026
FB-16-0109	014-260-036
FB-16-0143	014-260-020
FB-16-0405	014-260-045
FB-16-0412	014-260-103
FB-16-0406	014-260-047
FB-16-0116	014-260-061
FB-16-0408	014-260-089
FB-16-0404	014-260-017
FB-16-0403	014-260-016
FB-16-0118	014-230-061

Action Item 1 Continued	
High Speed Rail Authority Parcel Number	Assessor Parcel Number (APN) or Property Location Description
FB-16-9010	State Route (SR) 43, north of the Union Pacific railroad (UPRR) and adjacent to APN 014-260-078
FB-16-9011	SR 43, south of the UPRR railroad and adjacent to APN 014-260-078
FB-16-0386	014-230-013
FB-16-0392	014-230-087
FB-16-0425	Parcel at the intersection of of the UPRR, SR 43, and APN 014-251-042
FB-16-0402	014-251-042
FB-16-0389	014-230-053
FB-16-0390	014-230-076
FB-16-0387	014-230-017
FB-16-0414	016-070-101
FB-16-9004	SR 198 from 7 <sup>th</sup> Avenue to approximately 1/8 mile east of SR 43
FB-16-0383	016-070-037
FB-16-0146	016-070-038
FB-16-0384	016-070-042

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Kings County

Action Requested

**If approved, the requested action would authorize site selection of 36 assessor's parcels in full or in part.**

Scope Description

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

the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

#### Funding and Cost Verification

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

#### Background

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

The 36 parcels to be site selected reflect an alternative technical concept near the City of Hanford that would provide for the following:

- An overpass at Grangeville Boulevard.
- Improvements to the HSTS grade separation over the UPRR, including UPRR grade separations at 7<sup>th</sup> Avenue and at SR 43.
- Parcels necessary to lower SR 198 under the HSTS.

For some of these properties, the CEQA and NEPA processes were completed in 2014. Other parcels are currently outside of the footprint of the project, but CEQA and NEPA will be amended to incorporate these parcels prior to any development. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

**Staff Recommendation:**     **Authorize site selection of 36 assessor's parcels in full or in part.**

## ACTION ITEMS

### **ACTION ITEM—2**

#### **CALIFORNIA HIGH SPEED RAIL AUTHORITY (2665) VARIOUS COUNTIES**

Authority: Section 15770.2 of the Government Code

**Consider approving updates to Exhibits to the Right-Of-Way Contracts authorized by Resolution at the November 6, 2015 Public Works Board Meeting**

## ACTION ITEMS

### **STAFF ANALYSIS ITEM—2**

High Speed Rail Authority  
Various Counties

#### Action Requested

The State Public Works Board (Board) is required by law to perform various functions or approvals in relation to its capital outlay oversight responsibilities and bond issuance obligations. In an effort to improve the efficiency of these processes, the Board has approved the delegation of certain functions and approvals to its duly appointed Executive Director and Deputy Directors.

At its November 6, 2012 meeting, the Board approved the adoption of a resolution approving a form acquisition agreement and the delegation of authority to execute certain contracts for the acquisition of property for the High Speed Rail Project. In addition, at its April 15, 2013 meeting, the Board approved a form of Agreement for Possession and Use, Optional Clauses, and Memorandum of Agreement for Possession and Use and the delegation of authority to execute agreements and memoranda for the possession and use of property for the California High Speed Rail Project. On November 6, 2015, the Board rescinded both of those resolutions and approved new resolutions providing for additional delegations, updating contract language, and adding new contract forms as necessary. On January 15, 2016, the Board approved minor updates to those Exhibits to the Right-Of-Way Contracts and Possession and Use Agreements. This request would further update the Exhibit B to the Right-Of-Way contracts authorized by Board resolution to include changes and clean-up edits as follows:

- Right-Of-Way Contract – Revise Exhibit B, Optional Clause 8.04.14.01 “Dismissal Clause” and remove “Dismissal Clause” adopted by May 13, 2016 Board Resolution to clarify intent that the owner waives claims for litigation expenses, attorney fees and costs resulting from the dismissal of an eminent domain action pursuant to Code of Civil Procedure section 1268.610.
- Right-Of-Way Contract – Revise Exhibit B, Optional Clause 8.10.04.00 “Reconnected/Relocated Driveways” to replace “my/our” and “I (we)” with “OWNER” to more accurately reflect roles and responsibilities of parties to the contract.

**Staff Recommendation: Approve updates to Exhibit B to the Right-Of-Way Contracts authorized by Resolution at the November 5, 2015, Public Works Board Meeting.**

## ACTION ITEMS

### ACTION ITEM—3

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
MADERA, FRESNO, KINGS, TULARE AND KERN COUNTIES**

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

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

- 1. Lapidary Farms Property (Kern County)**  
Authority Parcel Numbers: FB-15-0015-1 and FB-15-0015-01-01  
Assessor Parcel Number: 047-290-12
- 2. Newman Property (Kern County)**  
Authority Parcel Numbers: FB-15-0187-1, FB-15-0187-2, FB-15-0187-3, and  
FB-15-0187-4  
Assessor Parcel Number: 489-020-31
- 3. Wonderful Nurseries Property (Kern County)**  
Authority Parcel Numbers: FB-15-0188-1, FB-15-0188-2, FB-15-0188-3, FB-15-0188-4,  
FB-15-0188-5, FB-15-0188-6, FB-15-0188-7, and FB-15-0188-9  
Assessor Parcel Numbers: 489-020-16 and 489-020-17
- 4. Goldman Property (Kern County)**  
Authority Parcel Numbers: FB-15-0020-1, FB-15-0020-2, and FB-15-0020-01-01  
Assessor Parcel Number: 047-350-19
- 5. John Hancock Property (Tulare County)**  
Authority Parcel Numbers: FB-54-0751-1 and FB-54-0751-01-01  
Assessor Parcel Numbers: 333-062-001 and 333-072-001
- 6. Armentrout Property (Madera County)**  
Authority Parcel Numbers: MF-20-1217-1 and MF-20-1217-2  
Assessor Parcel Number: 037-010-029
- 7. Oliveira Property (Kings County)**  
Authority Parcel Numbers: FB-16-0033-1 and FB-16-0033-01-01  
Assessor Parcel Number: 002-190-009
- 8. Panoo Property (Fresno County)**

Authority Parcel Number: FB-10-0398-1  
Assessor Parcel Number: 042-180-03

## Property Pulled

**9. Bank of America Property (Kern County)**

Authority Parcel Numbers: FB-15-0036-1, FB-15-0036-01-01, and FB-15-0036-02-01  
Assessor Parcel Numbers: 060-140-16

**10. Malaga County Water District Property (Fresno County)**

Authority Parcel Numbers: FB-10-0592-1 and FB-10-0592-2  
Assessor Parcel Number: 330-100-07T

### ACTION ITEMS

## STAFF ANALYSIS ITEM—3

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Madera, Fresno, Kings, Tulare and Kern Counties

Action Requested

**Adopt nine Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 137 acres.**

Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno and relocation of railroad lines, the construction of bridges over the San Joaquin and Fresno Rivers as well as other waterways, several dozen grade separations, multiple viaducts and trenches, and the acquisition of approximately 1,500 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

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

Background

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

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

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

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

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

Between November 2016 and February 2017, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On March 24, 2017, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

**1. Lapidary Farms Property (Kern County)**

Authority Parcel Numbers: FB-15-0015-1 and FB-15-0015-01-01

Assessor Parcel Number: 047-290-12

Partial Acquisition: Approximately 3.65 acres in fee

This property will be needed for the construction of the HSTS adjacent to Magnolia Avenue, approximately one-half mile north of Pond Road.



**2. Newman Property (Kern County)**

Authority Parcel Numbers: FB-15-0187-1, FB-15-0187-2, FB-15-0187-3, and FB-15-0187-4

Assessor Parcel Number: 489-020-31

Partial Acquisition: Approximately 3.55 acres total (3.01 acres in fee and 0.54 acre in easement)

This property will be needed for the construction of the HSTS between Filburn Street and Jackson Avenue.

**3. Wonderful Nurseries Property (Kern County)**

Authority Parcel Numbers: FB-15-0188-1, FB-15-0188-2, FB-15-0188-3, FB-15-0188-4, FB-15-0188-5, FB-15-0188-6, FB-15-0188-7, and FB-15-0188-9

Assessor Parcel Numbers: 489-020-16 and 489-020-17

Partial Acquisition: Approximately 3.51 acres total (2.12 acres in fee and 1.39 acres in easement)

This property will be needed for the construction of the HSTS between Filburn Street and Jackson Avenue.

**4. Goldman Property (Kern County)**

Authority Parcel Numbers: FB-15-0020-1, FB-15-0020-2, and FB-15-0020-01-01

Assessor Parcel Number: 047-350-19

Partial Acquisition: Approximately 11.58 acres in fee

This property will be needed for the construction of the HSTS between Pond Road and Peterson Road.

**5. John Hancock Property (Tulare County)**

Authority Parcel Numbers: FB-54-0751-1 and FB-54-0751-01-01

Assessor Parcel Numbers: 333-062-001 and 333-072-001

Partial Acquisition: Approximately 68.03 acres in fee

This property will be needed for the construction of the HSTS between Avenue 24 and the Tulare – Kern County Line.

**6. Armentrout Property (Madera County)**

Authority Parcel Numbers: MF-20-1217-1 and MF-20-1217-2

Assessor Parcel Number: 037-010-029

Partial Acquisition: Approximately 0.49 acre total (0.38 acre in fee and 0.11 acre in easement)

This property will be needed for the construction of the Avenue 17 grade separation.

**7. Oliveira Property (Kings County)**

Authority Parcel Numbers: FB-16-0033-1 and FB-16-0033-01-01

Assessor Parcel Number: 002-190-009

Partial Acquisition: Approximately 20.24 acres in fee

This property will be needed for the construction of the HSTS between Dover Avenue and Excelsior Avenue.

- 8. Panoo Property (Fresno County)**  
Authority Parcel Number: FB-10-0398-1  
Assessor Parcel Number: 042-180-03

## **Property Pulled**

- 9. Bank of America Property (Kern County)**  
Authority Parcel Numbers: FB-15-0036-1, FB-15-0036-01-01, and FB-15-0036-02-01  
Assessor Parcel Numbers: 060-140-16  
Partial Acquisition: Approximately 25.85 acres in fee

This property will be needed for the construction of the McCombs Avenue grade separation.

- 10. Malaga County Water District Property (Fresno County)**  
Authority Parcel Numbers: FB-10-0592-1 and FB-10-0592-2  
Assessor Parcel Number: 330-100-07T  
Partial Acquisition: Approximately 0.30 acre total (0.12 acre in fee and 0.18 acre in easement)

This property will be needed for the construction of the Central Avenue grade separation.

**Staff Recommendation:**      **Adopt nine Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 137 acres.**

## CLOSED SESSION

### CLOSED SESSION ITEM—1

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

**Closed Session to Confer with Negotiator regarding the terms of proposed purchase of real property**

The Board will meet in closed session, pursuant to Government Code sections 11126(c)(7), to instruct its negotiator regarding the proposed purchase of real property for the High Speed Train project. The following proposed purchase will be discussed:

**Millenium Property (Fresno County)**

Assessor Parcel Numbers: 504-091-01, 504-091-02, 504-091-03, and 504-091-04  
Authority Parcel Numbers: MF-10-0208, MF-10-0209 and MF-10-0210 (“Property”)  
Street address: 6715 and 6725 North Golden State Blvd. Fresno, CA 93722  
Lead negotiator attending: Don Grebe of High Speed Rail Authority (“Authority”)  
Negotiating parties: Authority as representative of Board and Property owner  
Under negotiation: price and terms of payment.

## ITEM PULLED

## CLOSED SESSION

### CLOSED SESSION ITEM—2

**DEPARTMENT OF GENERAL SERVICES (7760)  
FRED C. NELLES YOUTH CORRECTIONAL FACILITY, CITY OF WHITTIER  
LOS ANGELES COUNTY  
Surplus Parcel Number SSL 628**

**Closed Session to Confer with Legal Counsel regarding Pending Litigation**

The Board will meet in closed session, pursuant to Government Code sections 11126(e)(1) and (e)(2)(A), to confer with counsel regarding pending litigation. The following case will be discussed:

Whittier Conservancy, a non-profit California corporation, vs. California Public Works Board; California Department of General Services; California Department of Finance, et al.

In the Court of Appeal of the State of California, First Appellate District, Division 4, Case No’s, A149264 and A149355

Appeal of order in Alameda County Superior Court, Case No. RG15773639

## ITEM PULLED



**OTHER BUSINESS**

**NONE**

**REPORTABLES**

**TO BE PRESENTED AT MEETING**