



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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## **AGENDA WITH ANALYSIS STATE PUBLIC WORKS BOARD**

**The STATE PUBLIC WORKS BOARD will meet on  
Monday, August 14, 2017 at 10:00 a.m. in Room 112,  
State Capitol, Sacramento, California.**

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

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

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

**STATE PUBLIC WORKS BOARD**  
**Monday, August 14, 2017, at 10:00 a.m. in Room 112**  
**State Capitol, Sacramento, California**

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## MINUTES

**Consider approving the minutes from the July 17, 2017 Public Works Board Meeting.**

Staff has reviewed the minutes from the July 17, 2017 Public Works Board Meeting and recommends approval of those meeting minutes.

**Staff Recommendation: Approve minutes from the July 17, 2017 Public Works Board Meeting.**

**CONSENT ITEMS**

**NONE**

## ACTION ITEMS

### ACTION ITEM—1

DEPARTMENT OF MOTOR VEHICLES (2740)  
SANTA MARIA FIELD OFFICE REPLACEMENT  
2770 SANTA MARIA WAY  
SANTA BARBARA COUNTY  
DGS Parcel No. 10873

*Authority: Chapter 10, Statutes of 2015, Item 2720-301-0044(2)  
Chapter 23, Statutes of 2016, Item 2720-301-0044(2)  
Section 15853 of the Government Code*

**Consider authorizing:**

- a) **Acquisition contingent upon satisfactory results of a Phase II Environmental Site Assessment report for the property.**
- b) **Execution of a Property Acquisition Agreement and other such documents as may be required to approve the acquisition.**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

Department of Motor Vehicles  
Santa Maria Replacement Field Office  
2770 Santa Maria Way  
Santa Barbara County

Action requested

**If approved, the request would authorize acquisition contingent upon satisfactory results of a Phase II Environmental Site Assessment report for the property and would authorize approve the execution of a Property Acquisition Agreement and other such documents as may be required to approve the acquisition.**

Scope Description

**This project is within scope.** This request will authorize the Department of Motor Vehicles (DMV) to purchase approximately 3 acres of land located at 2770 and 2850 Santa Maria Way in the City of Santa Maria, Santa Barbara County (the Property), for the construction of a replacement DMV field office. When completed, the new facility will replace the existing smaller facility that is significantly undersized and identified to have serious seismic issues.

Funding and Cost Verification

**This project is within cost.** The Budget Acts of 2015 and 2016 provides \$2,637,000 for acquisition and \$1,811,000 for design. The property can be acquired with the funds available and in accordance with legislative intent.

While within budgeted authority, the property is being acquired at a cost of \$1,452,500, which is \$12,500 greater than the appraised value of \$1,440,000. The property owner indicated that the

state's acquisition would impact existing plans for a commercial/residential development and the associated tentative map. Staff agrees with this assessment, and the amount of \$12,500 was negotiated to address costs associated with a reconfiguration of the overall development plan. This incremental cost is much less than the anticipated cost of project delay should an alternate site need to be pursued.

\$4,448,000	Total authorized project costs
\$16,021,000	Total estimated project costs
\$1,286,000	Project costs previously allocated: \$400,000 acquisition, and \$886,000 preliminary plans
\$13,901,000	Project costs to be allocated: \$1,453,000 acquisition, \$906,000 working drawings, and \$11,542,000 construction
\$834,000	Anticipated project savings: \$784,000 acquisition, \$11,000 preliminary plans, \$8,000 working drawings, and \$31,000 construction

### CEQA

A Notice of Exemption was filed with the State Clearinghouse on July 6, 2017, and the 35-day statute of limitations expires on August 9, 2017.

### Project Schedule

The anticipated close of escrow is October 2017

### Condition of Property

The DGS Environmental Services Unit (ESU) staff conducted a site visit to the Property in November 2015. The Property is situated in a mixed used area of commercial and residential properties and is located approximately 1 mile northeast of the Santa Maria Public Airport. The Property is bounded on north by Miller Street, to the west by a recreational area/park, to the east by Santa Maria Way (a four lane expressway), and the south by Sunrise Drive.

The area under consideration is a 3.0 acre portion of a 10.32± acre larger parcel. The property area is flat and graded with no surface drainages or prominent topographic features observed during the site visit.

The Property is located within the administrative boundary of the Santa Maria Valley oil field and was used for oil and gas production between the 1930s-1980s. Subsurface infrastructure on the larger parcel historically included oil and gas pipelines, underground storage tanks, an operational machine shop, fuel dispenser island, and a leach field.

### **Environmental Site Assessments (ESA) Summary-**

A Phase I Environmental Site Assessment (ESA) was completed in November 2016 and drove the need for a Phase II ESA. The Phase II draft report was completed on May 3, 2016 and identified one Other Environmental Feature (OEF) on the site to be acquired and one Recognized Environmental Condition (REC) on the larger parcel that could affect the acquisition site. The REC will require additional investigation but the risk to the acquisition site is expected to be minor.

**OEF – Former Oil Well** – The Property features one abandoned oil well. The well was abandoned in 1982. In 2007 a formal letter was written from the California Division of Oil, Gas, and Geothermal Resources (DOGGR) stating the closures were within current minimum standards. While no methane was detected, a ten foot setback may be necessary from the well head. The site is large enough to accommodate the setback.

**REC – Trench Drains** – Trench drains were observed within a former concrete building pad east of the acquisition site within the larger parcel. The drains may be consistent with a former wash down area or maintenance yard. The use of the former buildings is believed to have been residential and industrial; however, this is unconfirmed. Borings were completed along the easterly boundary of the Property. A 15 foot sample from boring SV-11 contained a detectable concentration of TPH (10mg/kg), with no VOCs detected. Concentrations of benzene and ethylbenzene exceeded screening level risk based criteria for vapor intrusion.

Based on the available data from the Phase II-Draft Summary, DGS recommends additional testing pertaining to this REC to further assess any potential subsurface issues as a result of the historical use of the property. At this time it is not expected that the REC will preclude use of the site for a replacement DMV office. However, to best protect the state's interest, staff recommend that acquisition be contingent on a satisfactory result of the Phase II ESA.

Other:

- The State Public Works Board (Board) approved site selection for this property on January 13, 2017.
- The Property can be acquired with the funds available and in accordance with legislative intent.
- Due to the outstanding environmental issue identified in the REC item above, the Property Acquisition Agreement is contingent on completion and approval of a Phase II ESA.
- The site meets the requirements of DMV.
- There are no historic issues and no implied dedication associated with the property.
- No relocation assistance is required.
- DGS is not aware of any lawsuits pending concerning the properties. The Property Acquisition Agreement requires delivery of title to the property free and clear of any mortgages or liens.
- The proposed project location is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq, as the sites selected support efficient development patterns near existing developed areas with adequate transportation and other essential utilities and services.

**Staff Recommendation:**     **If approved, the request would authorize acquisition contingent upon satisfactory results of a Phase II Environmental Site Assessment report for the property and would authorize the execution of a Property Acquisition Agreement and other such documents as may be required to approve the acquisition.**

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## ACTION ITEMS

### ACTION ITEM—2

**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  
Section 15854 of the Government Code*

**Consider amending two Resolutions of Necessity (RONs) authorizing the use of eminent domain to acquire the following properties:**

- 1) Sullivan Property (Kings County),  
RON 2015-0058  
Authority Parcel Numbers: FB-16-0038-1, FB-16-0038-2, FB-16-0038-3,  
FB-16-0038-01-01 and FB-16-0039-1  
Assessor Parcel Numbers: 002-190-001 and 002-190-002**
  
- 2) Lansing LLC Property (Kings County)  
RON 2016-0083  
Authority Parcel Number: FB-16-0240-1, FB-16-0240-6, FB-16-0240-7, FB-16-0240-8,  
FB-16-0240-9, FB-16-0240-10, FB-16-0240-11, FB-16-0240-12  
Assessor Parcel Number: 028-260-005**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—2

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

Action Requested

**If approved, the requested action would amend two Resolutions of Necessity (RONs) authorizing the use of eminent domain to acquire properties.**

*Sullivan Property:* On February 21, 2017, the Board adopted RON 2015-0058, authorizing the use of eminent domain to acquire the Sullivan property in Kings County. That RON had an error in the legal description, which necessitates an amended RON in order to proceed with eminent domain. The design did not change.



On July 24, 2017, a Notice of Intent to adopt an amended Resolution of Necessity was mailed to the property owner. This notice was sent in accordance with Code of Civil Procedure section 1245.235.

*Lansing LLC Property:* On August 16, 2016, the Board adopted RON 2016-0083, authorizing the use of eminent domain to acquire the Lansing LLC property in Kings County. Since then, there has been a design change that increased the fee acquisition area and adjusted several easements. The amended RON would incorporate the design change.

On July 24, 2017, a Notice of Intent to adopt an amended Resolution of Necessity was mailed to the property owner. This notice was sent in accordance with Code of Civil Procedure section 1245.235.

**Staff Recommendation:**      **Amend two Resolutions of Necessity authorizing the use of eminent domain to acquire properties.**

## 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. Webster Mandarin Grove Property (Madera County)**  
**Authority Parcel Numbers: MF-20-1041-1, MF-20-1042-1, and MF-20-1042-2**  
**Assessor Parcel Numbers: 047-240-008, formerly designated as 047-240-006, and 047-240-010 formerly designated as 047-240-007**
- 2. Efird Property (Fresno County)**  
**Authority Parcel Numbers: FB-10-0885-1, FB-10-0885-2, and FB-10-0885-3**  
**Assessor Parcel Number: 385-110-38**
- 3. Irigoyen Property (Fresno County)**  
**Authority Parcel Number: FB-10-0457-1**  
**Assessor Parcel Number: 056-020-63s**
- 4. Tos Property (Kings County)**  
**Authority Parcel Numbers: FB-16-0024-1, FB-16-0024-3, FB-16-0024-5, and FB-16-0024-01-01**  
**Assessor Parcel Number: 002-150-057**
- 5. Atwell Island Water Property (Tulare County)**  
**Authority Parcel Numbers: FB-54-0374-1, FB-54-0374-2, FB-54-0374-3, FB-54-0374-01-01, FB-54-0375-1, FB-54-0375-2, FB-54-0375-01-01, FB-54-0523-1, and FB-54-0523-01-01**  
**Assessor Parcel Numbers: 313-060-005, 313-070-001, and 313-080-002**

6. **Sandridge Partners Property (Tulare County)**  
**Authority Parcel Numbers:** FB-54-0501-1, FB-54-0502-1, FB-54-0502-2, FB-54-0502-3, FB-54-0502-4, FB-54-0502-5, FB-54-0502-01-01, FB-54-0507-1, FB-54-0507-2, FB-54-0507-3, FB-54-0507-4, FB-54-0507-5, FB-54-0507-6, FB-54-0507-7, FB-54-0507-8, FB-54-0507-9, FB-54-0508-1, FB-54-0508-01-01; FB-54-0509-1, FB-54-0510-1, FB-54-0510-2, FB-54-0510-3, FB-54-0510-4, FB-54-0510-5, FB-54-0510-01-01, FB-54-0513-1, FB-54-0513-2, FB-54-0513-3, FB-54-0513-4, FB-54-0513-5, FB-54-0533-1, FB-54-0534-1, and FB-54-0535-1  
**Assessor Parcel Numbers:** 291-060-001, 291-060-016, 291-070-010, 291-070-012 (formerly designated as 291-070-002), 291-100-003, and 291-110-003
  
7. **Farmland Reserve Property (Kern County)**  
**Authority Parcel Numbers:** FB-15-0316-1, FB-15-0316-4, FB-15-0316-5, and FB-15-0316-01-01  
**Assessor Parcel Numbers:** 072-180-01, 072-180-03, and 072-190-03
  
8. **Fabbri Property (Kern County)**  
**Authority Parcel Numbers:** FB-15-0012-1, and FB-15-0012-01-01  
**Assessor Parcel Number:** 047-220-07
  
9. **Wasco Real Properties (Kern County)**  
**Authority Parcel Numbers:** FB-15-0313-1, FB-15-0313-3 and FB-15-0313-01-01  
**Assessor Parcel Numbers:** 072-170-03 and 072-170-040

## 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 235 acres.**

Scope Description

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

Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and

Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

### Background

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

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

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

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

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

Between March 2017 and June 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 July 21, 2017, July 24, 2017, and July 25, 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. Webster Mandarin Grove Property (Madera County)**  
**Authority Parcel Numbers: MF-20-1041-1, MF-20-1042-1, and MF-20-1042-2**  
**Assessor Parcel Numbers: 047-240-008, formerly designated as 047-240-006, and 047-240-010, formerly designated as 047-240-007**

Partial acquisition: Approximately 3.99 acres total (0.05 acre in fee and 3.94 acres in easement)

This property will be needed for the construction of the Avenue 11 grade separation and for the construction of the HSTS between Avenue 11 and Avenue 10.

**2. Efirid Property (Fresno County)**

**Authority Parcel Numbers: FB-10-0885-1, FB-10-0885-2, and FB-10-0885-3**

**Assessor Parcel Number: 385-110-38**

Partial acquisition: Approximately 5.15 acres total (5.07 acres in fee and 0.08 acre in easement)

This property will be needed for the construction of the HSTS between South Willow Avenue and East Conejo Avenue.

**3. Irigoyen Property (Fresno County)**

**Authority Parcel Number: FB-10-0457-1**

**Assessor Parcel Number: 056-020-63s**

Partial acquisition: Approximately 5.83 acres in fee

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

**4. Tos Property (Kings County)**

**Authority Parcel Numbers: FB-16-0024-1, FB-16-0024-3, FB-16-0024-5, and FB-16-0024-01-01**

**Assessor Parcel Number: 002-150-057**

Partial acquisition: Approximately 1.68 acres total (0.98 acre in fee and 0.70 acre in easement)

This property will be needed for the construction of the HSTS between Cairo Avenue and North Avenue.

**5. Atwell Island Water Property (Tulare County)**

**Authority Parcel Numbers: FB-54-0374-1, FB-54-0374-2, FB-54-0374-3, FB-54-0374-01-01, FB-54-0375-1, FB-54-0375-2, FB-54-0375-01-01, FB-54-0523-1, and FB-54-0523-01-01**

**Assessor Parcel Numbers: 313-060-005, 313-070-001, and 313-080-002**

Partial acquisition: Approximately 50.54 acres total (50.19 acres in fee and 0.35 acre in easement)

This property will be needed for the construction of the HSTS between Road 64 and Avenue 56.

**6. Sandridge Partners Property (Tulare County)**

**Authority Parcel Numbers: FB-54-0501-1, FB-54-0502-1, FB-54-0502-2, FB-54-0502-3, FB-54-0502-4, FB-54-0502-5, FB-54-0502-01-01, FB-54-0507-1, FB-54-0507-2, FB-54-0507-3, FB-54-0507-4, FB-54-0507-5, FB-54-0507-6, FB-54-0507-7, FB-54-0507-8, FB-54-0507-9, FB-54-0508-1, FB-54-0508-01-01; FB-54-0509-1, FB-54-0510-1, FB-54-0510-2, FB-54-0510-3, FB-54-0510-4, FB-54-0510-5, FB-54-0510-01-01, FB-54-0513-1, FB-54-0513-2, FB-54-0513-3, FB-54-0513-4, FB-54-0513-5, FB-54-0533-1, FB-54-0534-1, and FB-54-0535-1**

**Assessor Parcel Numbers: 291-060-001, 291-060-016, 291-070-010, 291-070-012 (formerly designated as 291-070-002), 291-100-003, and 291-110-003**

Partial acquisition: Approximately 92.74 acres total (68.87 acres in fee and 23.87 acres in easement)

This property will be needed for the construction of the Avenue 120 and Avenue 112 grade separations and for the construction of the HSTS between Avenue 128 and Avenue 96.

**7. Farmland Reserve Property (Kern County)**

**Authority Parcel Numbers: FB-15-0316-1, FB-15-0316-4, FB-15-0316-5, and FB-15-0316-01-01**

**Assessor Parcel Numbers: 072-180-01, 072-180-03, and 072-190-03**

Partial acquisition: Approximately 30.59 acres total (30.57 acres in fee and 0.02 acre in easement)

This property will be needed for the construction of the Merced Avenue grade separation and for the construction of the HSTS between Kimberlina Avenue and Jack Avenue.

**8. Fabbri Property (Kern County)**

**Authority Parcel Numbers: FB-15-0012-1, and FB-15-0012-01-01**

**Assessor Parcel Number: 047-220-07**

Partial acquisition: Approximately 0.53 acre in fee

This property will be needed for the construction of the HSTS between Woollomes Avenue and Magnolia Avenue.

**9. Wasco Real Properties (Kern County)**

**Authority Parcel Numbers: FB-15-0313-1, FB-15-0313-3 and FB-15-0313-01-01**

**Assessor Parcel Numbers: 072-170-03 and 072-170-040**

Partial acquisition: Approximately 44.02 acres in fee

This property will be needed for the construction of the HSTS between Kimberlina Road and Jack Avenue

**Staff Recommendation: Adopt nine Resolutions of Necessity authorizing the use of eminent domain to acquire properties totaling approximately 235 acres.**

## ACTION ITEMS

### ACTION ITEM—4

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

Assessor's Parcel Number: 334-010-03U

Authority Parcel Number: FB-10-0302-1

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

**Consider authorizing:**

- a. **Acquisition of the property**
- b. **Execution of the Purchase and Sales Agreement and other such documents as may be required to approve the acquisition of the property.**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—4

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

Action Requested

**If approved, the requested action would authorize acquisition of property and the execution of the Purchase and Sales Agreement and other such documents as may be required to approve the acquisition of the property.**

On November 6, 2015, the Board adopted a resolution to delegate acquisition approval for High Speed Train System acquisitions that conform to a Board-approved standard contract with non-substantive changes. Due to the complexity of the Purchase and Sales Agreement (Agreement) between BNSF Railway and the High Speed Rail Authority (Authority), these contracts fall outside of the delegation and require Board approval.

The BNSF parcel that is the subject of this action is a non-operating parcel, necessary for the construction of a section of the high-speed rail right-of-way in Fresno County. This piece is a key section within a six-mile construction area that will enable work to commence on the adjoining parcels. The parcel is located within Construction Package (CP) 2/3, which stretches approximately 60 miles from East American Avenue in Fresno to one mile north of the Tulare/Kern County line, and is valued at \$171,000. It is anticipated that similar Agreements will be presented

for Board approval at a later date for the acquisition of additional BNSF Railway parcels within CP2/3 and for parcels in CP4.

**Staff Recommendation:**     **Authorize acquisition of property and the execution of the Purchase and Sales Agreement and other such documents as may be required to approve the acquisition of the property.**



## ACTION ITEMS

### ACTION ITEM—5

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

Assessor's Parcel Number: 508-020-01SU

Authority Parcel Number: MF-10-0216-1

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

**Consider approving acquisition of an interest in property and execution of an Agreement for Release of Easement and related documents with Union Pacific Railroad Company.**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—5

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

Action Requested

**If approved, the requested action will approve an acquisition of an interest in property and execution of an Agreement for Release of Easement and related documents with Union Pacific Railroad Company.**

On November 6, 2015, the Board adopted a resolution to delegate acquisition approval for High Speed Train System acquisitions that conform to a Board-approved standard contract with non-substantive changes. Due to the nature of the interest conveyed pursuant to the Easement Acquisition Agreement (Agreement) between Union Pacific Railroad and the High Speed Rail Authority (Authority), the Agreement falls outside of the delegation and requires Board approval. For similar reasons, any other instruments or documents related to the Agreement (together with the Agreement, the "Transaction Documents") also require Board approval.

This action will approve the acquisition of a property interest in the form of a release of a railroad easement over a portion of the Vie Del property (underlying fee owner) in Fresno County. The Vie Del property is currently in condemnation and will be going to court on the larger 53 acre parcel in August 2017. The Transaction Documents will release and cancel UPRR's easement over the easement area. The acquisition price of the release of easement is \$79,715.00.

**Staff Recommendation:** Approve an acquisition of an interest in property and execution of an Agreement for Release of Easement and related documents with Union Pacific Railroad Company.

**OTHER BUSINESS**

**NONE**

**REPORTABLES**

**TO BE PRESENTED AT MEETING**