



Staff Analysis

STATE PUBLIC WORKS BOARD

Friday, June 14, 2019 at 10:00 a.m. in

Room 113, State Capitol, Sacramento, California

I. Roll Call

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MINUTES

Consider approving the minutes from the May 10 meeting.

Staff have reviewed the minutes from the May 10 meeting and recommend approval of the meeting minutes.

Staff Recommendation: Approve minutes from the May 10, 2019 meeting.

CONSENT ITEMS – CALENDAR A

CONSENT ITEM—1

DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)
BAKER FIRE STATION: RELOCATE FACILITY
TEHAMA COUNTY

*Authority: Chapter 712, Statutes of 2010, Item 3540-301-0660 (1), as partially reappropriated by the Budget Acts of 2012 and 2016
Chapter 20, Statutes of 2013, Item 3540-301-0668 (1), as partially reappropriated by the Budget Act of 2016
Chapter 25, Statutes of 2014, Item 3540-301-0660 (10), as partially reappropriated by the Budget Act of 2016*

Consider recognizing a scope change

STAFF ANALYSIS ITEM—1

Department of Forestry and Fire Protection
Baker Fire Station – Relocate Facility
Tehama County

Action Requested

If approved, the requested action will recognize a scope change.

Scope Description

This project is not within scope. The approved project scope includes demolition of an existing fire station and the construction of an approximately 7,200 sf fire station with a mezzanine for storage, a 2-engine 3-bay apparatus building with an office, 12-bed barracks/mess hall buildings, generator/pump/storage building, and site work, to replace the existing fire station that was constructed in 1948.

Recent building code changes require the Department of Forestry and Fire Protection (CalFire) to build an accessible lift in addition to stairs with the planned mezzanine, which would increase project costs by approximately \$114,000. Constructing a similarly-sized ground-level storage building instead of a mezzanine with the required lift would result in cost avoidance of approximately \$750. In addition, the scope change would provide a safer and more convenient storage option for CalFire.

On May 22, 2019, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations committees of its intent to recognize the scope change and recommend that the Board recognize this revised scope no sooner than 20 days from that date.

Funding and Cost Verification

This project is within cost. The Budget Act of 2013, Item 3540-301-0668 (1) provided \$200,000 for acquisition. The Budget Act of 2010, Item 3540-301-0660 (1), and the Budget Act of 2014, Item 3540-301-0660 (10) provided \$10,987,000 for preliminary plans, working drawings, and construction phases of this project.

\$11,187,000	Total authorized project cost
\$11,187,000	Total estimated project cost
\$974,000	Project costs previously allocated: \$200,000 acquisition and \$774,000 preliminary plans
\$10,213,000	Project costs to be allocated: \$742,000 working drawings and \$9,471,000 construction (\$7,861,300 contract, \$393,000 contingency, \$651,600 A&E, \$545,100 other project costs, and \$20,000 agency retained)

CEQA

A Notice of Determination was filed with the State Clearinghouse on March 14, 2019 and the 30-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on December 14, 2017, and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	June 2019
Approve working drawings	June 2021
Complete construction	September 2022

Staff Recommendation: Recognize a scope change.

CONSENT ITEM—2

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540) TEMECULA FIRE STATION: RELOCATE FACILITY RIVERSIDE COUNTY

Authority: Chapters 14, Statutes of 2017, Item 3540-301-0001 (5)

Consider authorizing:

- a) An above market value acquisition of real property
- b) Execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition

STAFF ANALYSIS ITEM—2

Department of Forestry and Fire Protection
Temecula Fire Station: Relocate Facility
Riverside County

Action requested

If approved, the request would authorize an above market value acquisition of real property and the execution of a Property Acquisition Agreement and other such documents as may be required to approve the acquisition.

The Property will be acquired at a cost of \$795,000, which is \$64,000 greater than the fair market appraised value of \$731,000. While above market value, staff recommends proceeding with this acquisition for the following reasons:

1. There is a public purpose and benefit to relocating this fire station within the existing state responsibility area.
2. The Property was one of two sites approved for site selection by the State Public Works Board (Board) on November 16, 2018. Pursuing the alternative site selected by the Board would require an augmentation due to a list price of \$1,500,000.
3. Market research in Temecula has been exhausted and location of a suitable site within cost has proved difficult.
4. Acquisition of an alternative site is estimated to take at least an additional year.
5. A one-year delay could result in a 5 percent escalation in project costs.
6. The approximately 11 acre Property has ample land to replace the existing fire station which was originally built in 1948. The current facility is undersized and has reached its useful life.

Scope Description

This project is within scope. This request will authorize the acquisition of an approximately 11 acre parcel located in the City of Temecula, County of Riverside (the Property). The Property will be used for the construction of a replacement fire station consistent with the 2014 Facility Program Policy guidelines. The project includes the design and construction of a 2-engine fire station consisting of a 14-bed barracks/mess hall, 3-bay apparatus building, and a generator/storage building. Additionally, the project will include a fuel dispensing system, fuel vault, vehicle wash rack hose wash rack, and a flammable storage building.

Funding and Cost Verification

This project is within cost. Chapters 14, Statutes of 2017, Item 3540-301-0001 (5) authorizes \$1,065,000 for acquisition. The Property can be acquired with the funds available and in accordance with legislative intent.

CEQA

A Notice of Exemption was filed, for the acquisition, with the State Clearinghouse on February 26, 2019, and the 35-day statute of limitations expired without challenge. The appropriate CEQA review will be conducted for the project itself before the project commences.

Condition of Property

The Department of General Services (DGS) conducted a site visit on October 31, 2018. The Property is an approximately 11 acre parcel located at the northwest corner of Avenida Felicita at De Portola Road intersection in the County of Riverside, California. The Property fronts De Portola Road, which is County owned and maintained. Electric power and water are available along De Portola Road, no other utilities were observed. The subject property is relatively flat and surrounded by agricultural land, large horse breeding/training facilities, as well as large lot single family residence. Some trees and vegetation line the perimeter. The subject property may have been used for crop production.

The Property is zoned Wine Country-Equestrian (WC-E) with a General Plan Designation Rural Residential (RR), and is identified as Zone X (above 500-year flood zone) and Zone A (1% annual chance of flooding) by the Federal Emergency Management Agency (FEMA).

A Phase I environmental site assessment was prepared in April 2019. The Property was historically used as agricultural bare land. The assessment found no evidence of past land use having generated or caused the release of regulated or hazardous materials. A single Recognized Environmental Condition was noted due to past agricultural use, it is possible near-surface soil may contain residual pesticides. No further studies are recommended.

Project Schedule

Close of escrow: August 2019

Other

- The Board approved delegated site selection of the Property on November 16, 2018.
- Legal access to the Property is from Avenida Felicita, a 60 foot wide unpaved road owned in fee by the County of Riverside. In order to further perfect access, following close of escrow, an application will be submitted to the Riverside County Transportation Department for vacation of a portion of De Portola Road fronting the Property which is currently restricted.
- A 10 foot wide easement in favor of Southern California Edison (SCE) recorded in June 2016 currently encumbers the property east to west. SCE engineering has confirmed no structures exist within the easement area and they will provide a quitclaim deed to these rights following close of escrow.
- There are no historical issues and no implied dedication associated with the property.
- No relocation assistance is required.
- The Property meets the physical and location requirements of the Department of Forestry and Fire Protection (CalFire).
- The proposed facility will require a new septic system.
- Neither DGS, nor CalFire are 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 proposed location is consistent with the state’s planning priorities in accordance with Government Code Section 65041 et seq.

Staff Recommendation: Authorize an above market value acquisition of real property and execution of a Property Acquisition Agreement and other such documents as may be required to approve the acquisition.

CONSENT ITEMS – CALENDAR B

CONSENT ITEM—1

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
BURBANK COURTHOUSE
LOS ANGELES COUNTY**
AOC Facility Number 19-G1; DGS Parcel Number 10892

Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended (the “Act”)

Consider accepting real property through transfer of title

STAFF ANALYSIS ITEM—1

Judicial Council of California
Burbank Courthouse
Los Angeles County

Action Requested

If approved, the requested action would authorize the acceptance of real property through a transfer title.

Scope Description

This transaction is within scope. The requested action would authorize an acquisition of real property through a transfer of title of the Burbank Courthouse (Court Facility) pursuant to the Act. This is effectuated through the Transfer of Title for Court Facility, dated October 21, 2008 (Transfer Agreement) by and between the Judicial Council of California (Council) and the County of Los Angeles (County). The Court Facility is located at 300 E. Olive Avenue, City of Burbank, County of Los Angeles, California, which is approximately 0.82 acres (the Property). The Court Facility is improved with a two story building, 67,280 square-foot building constructed in 1952, with parking and associated landscaping.

Pursuant to provisions of the Act, on October 21, 2008, The Administrative Office of the Courts (AOC) entered into the Transfer Agreement and Joint Occupancy Agreement for the transfer of responsibility for funding and operation of the Court Facility.

As of October 21, 2008 the Council has been responsible for the operations and maintenance of the space exclusively occupied by the court and common areas of the building.

The Transfer Agreement provided that the Council would take title to the Court Facility after the county satisfied its obligation to pay off bond debt that encumbered the Court Facility. The County

has satisfied the bond debt and is now ready to convey the Property to the state.

Council accepted an Assignment and Assumption of Lease and Agreement for the Burbank Superior Courthouse Parking Structure signed October 23, 2018. The Lease will expire September 30, 2093. The Lease provides all parking for the Court Facility and an ongoing obligation upon the Council to maintain the parking structure at its cost.

Since September 30, 2008 the Council acquired the space previously occupied by the County, and has been responsible for the funding, operations and maintenance of the entire property.

Funding and Cost Verification

This transaction is within cost. The only costs for acquisition are for staff processing.

CEQA

A Notice of Exemption was filed with the State Clearinghouse June 16, 2017, and the 35-day statute of limitations expired without challenge.

Condition of Property

A Phase 1 Environmental Site Assessment (ESA) was conducted for the building and seismic assessments. The following findings were made:

Phase I ESA - A Phase I report was completed by a private contractor and reviewed by the Department of General Services in March 2017 in accordance with the American Society for Testing and Materials (E-1527-05) Standard Practice for Environmental Assessments. The ESA includes an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility. In preparing the Phase I, a visual inspection of the Court Facility was performed to detect any apparent hazardous conditions in, on, or about the Court Facility. In addition, the historical uses of the real property were reviewed. No potential issues of concern were identified, and the ESA recommended no further action be taken.

Building Assessment - In June 2017, staff from Judicial Council conducted an initial site visit of the Court Facility to assess the general condition of the Property prior to the Act transfer of responsibility.

Seismic Safety Assessment of the Improvements - Licensed structural engineers performed a Tier I seismic safety assessment of the building located in the Court Facility in July 2003, and inspected and evaluated the Court Facility for seismic safety in accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division. This seismic evaluation of the Court Facility was then peer-reviewed by other qualified engineers.

The Judicial Council determined that the building has a seismic safety rating of Level V, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect, April 1994. As of October 21, 2008, responsibility of the building was transferred to the state pursuant to the provisions of Government Code section 70324 (SB 10), which provides that the County shall be responsible for any seismic-related damage and injury, the county shall indemnify, defend, and hold the state harmless from those claims.

Project Schedule

The close of escrow is anticipated within 60 days of the Board's action.

Other

- Neither the County nor the Judicial Council are aware of any lawsuits pending concerning the property.
- There is no relocation assistance, historic issues or implied dedication associated with this transfer of title.
- In accordance with the Act, the transfer includes the same amount of parking that served the Court Facility in October 2001.

Staff Recommendation: Authorize acquisition

CONSENT ITEM—2

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
ADMINISTRATIVE OFFICE OF THE COURTS
SAN FERNANDO COURTHOUSE
LOS ANGELES COUNTY**

AOC Facility Number 19-AC-01; DGS Parcel Number 10889

Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended (the "Act")

Consider accepting real property through transfer of title

STAFF ANALYSIS ITEM—2

Judicial Council of California
San Fernando Courthouse
Los Angeles County

Action Requested

If approved, the requested action would authorize the acceptance of real property through a transfer of title.

Scope Description

This transaction is within scope. The requested action would authorize an acquisition of real property through a transfer of title of the San Fernando Courthouse (Court Facility) pursuant to the Act. This is effectuated by the Transfer of Title for Court Facility, dated July 29, 2008 (Transfer Agreement) by and between the Judicial Council of California (Council) and the County of Los Angeles (County). The Court Facility is located at 900 Third Street, City of San Fernando, County of Los Angeles, California, which is approximately 4.39 acres (the Property). The Court Facility is improved with a four-story, 186,660 square-foot building constructed in 1976, with parking and associated landscaping.

Pursuant to provisions of the Act, on July 29, 2008, the Administrative Office of the Courts (AOC) entered into the Transfer Agreement and Joint Occupancy Agreement for the transfer of responsibility for funding and operation of the Court Facility.

As of July 29, 2008 the Council has been responsible for the operations and maintenance of the

space exclusively occupied by the court and common areas of the building.

The Transfer Agreement provided that the Council would take title to the Court Facility after the County satisfied its obligation to pay off bond debt that encumbered the Court Facility. The County has satisfied the bond debt and is now ready to convey the Property to the state.

Funding and Cost Verification

This transaction is within cost. The only costs for acquisition are for staff processing.

CEQA

A Notice of Exemption was filed with the State Clearinghouse January 9, 2018, and the 35-day statute of limitations expired without challenge.

Condition of Property

A Phase 1 Environmental Site Assessment (ESA) was conducted for the building and seismic assessments. The following findings were made:

Phase I ESA - A Phase I report was completed by a private contractor and reviewed by the Department of General Services in March 2018 in accordance with the American Society for Testing and Materials (E-1527-05) Standard Practice for Environmental Assessments. The ESA includes an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility. In preparing the Phase I, a visual inspection of the Court Facility was performed to detect any apparent hazardous conditions in, on, or about the Court Facility. In addition, the historical uses of the real property were reviewed. No potential issues of concern were identified, and the ESA recommended no further action be taken.

Building Assessment - In January 2018, staff from the Judicial Council conducted an initial site visit of the Court Facility to assess the general condition of the Property prior to the Act transfer of responsibility.

Seismic Safety Assessment of the Improvements - Licensed structural engineers performed a Tier I seismic safety assessment of the building located in the Court Facility in July 2003, and inspected and evaluated the Court Facility for seismic safety in accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division. This seismic evaluation of the Court Facility was then peer-reviewed by other qualified engineers.

The Judicial Council determined that the building has a seismic safety rating of Level IV, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect, April 1994, making the building acceptable for transfer to the Council.

Project Schedule

The close of escrow is anticipated within 60 days of the Board's action.

Other

- Neither the County nor the Judicial Council are aware of any lawsuits pending concerning the property.
- There is no relocation assistance, historic issues or implied dedication associated with this transfer of title.
- In accordance with the Act, the transfer includes the same amount of parking that served the Court Facility in October 2001.

Staff Recommendation: Authorize acquisition

CONSENT ITEM—3

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
CALIFORNIA INSTITUTION FOR MEN, 50-BED MENTAL HEALTH CRISIS FACILITY
SAN BERNARDINO COUNTY**

*Authority: Chapter 14, 22, and 54, Statutes of 2017, 5225-301-0001 (9)
Chapter 29, 30, and 449 Statutes of 2018, 5225-301-0001 (8)*

Consider:

- a) Recognizing a scope change**
- b) Recognizing an anticipated deficit**
- c) Approving preliminary plans**
- d) Recognizing revised project costs**

STAFF ANALYSIS ITEM—3

Department of Corrections and Rehabilitation
California Institution for Men, 50-Bed Mental Health Crisis Facility
San Bernardino County

ITEM PULLED

CONSENT ITEM—4

**DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
RICHARD J. DONOVAN CORRECTIONAL FACILITY, 50-BED MENTAL HEALTH CRISIS
FACILITY, SAN DIEGO COUNTY**

*Authority: Chapter 14, 22, and 54, Statutes of 2017, 5225-301-0001 (10)
Chapter 29, 30, and 449 Statutes of 2018, 5225-301-0001 (9)*

Consider:

- a) Recognizing a scope change**
- b) Recognizing an anticipated deficit**
- c) Approving preliminary plans**
- d) Recognizing revised project costs**

STAFF ANALYSIS ITEM—4

Department of Corrections and Rehabilitation
Richard J. Donovan Correctional Facility, 50-Bed Mental Health Crisis Facility
San Diego County

ITEM PULLED

CONSENT ITEM—5

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)
TRI COUNTY REGIONAL JUVENILE PROJECT
YUBA COUNTY

Authority: Sections 1970 – 1978 of the Welfare and Institutions Code (SB 81)

Consider recognizing:

- a) A scope change
- b) Revised project costs

STAFF ANALYSIS ITEM—5

Department of Corrections and Rehabilitation
Tri County Regional Juvenile Project
Yuba County

Action Requested

If approved, the requested action would recognize a scope change and recognize revised project costs.

Scope Description

This project is not within scope. As established by the Board, the current approved scope includes a new approximately 24,000 square-foot facility located in the city of Marysville on approximately 2 acres of county-owned land that will provide housing units, administrative space, visitation space, two large recreation yards, programming space, medical space, a satellite kitchen, laundry, central control, intake/release, and parking for staff and visitors. More specifically, the scope includes three 16-bed housing units (a total of 48 beds), dayrooms, interview space and storage space, administrative space, visitation space, programming space, medical space, kitchen, laundry, central control, intake/release and a large recreation yard directly accessible from each dayroom. Due to delays and increases in construction costs during the development of the performance criteria and concept drawings, the county has determined that it is necessary to revise the project scope to adequately meet the needs of the program and reduce costs to remain within budget.

The California Department of Corrections and Rehabilitation, on behalf of the county, is requesting a scope change to remove one 16-bed housing unit, a dayroom, interview room, storage room, janitor's closet, three showers, two sallyports, and two outdoor recreation equipment storage rooms. This project will also include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems, and all other necessary appurtenances.

On May 24, 2019, the Department of Finance notified the chairs of the Joint Legislative Budget and fiscal committees in each house of its intent to recommend the Board recognize the scope change no sooner than 20 days from that date.

Funding and Project Cost Verification

This project is not within cost. Section 1973 of the Welfare and Institutions Code appropriated \$294,101,545 lease revenue bond authority to partially finance the construction of local youthful offender rehabilitative facilities. Award of this funding to individual counties is administered through the Board of State and Community Corrections (BSCC). The BSCC has conditionally awarded \$5,656,000 to Tri County for SB 81 Round 1 and \$9,600,000 to Tri County for SB 81 Round 2 from this appropriation. All of the acquisition/study and design costs are fully funded by Tri County's cash match and in-kind match. Furthermore, any additional construction costs that may arise in addition to the state award amounts will be paid by Tri County. Before the establishment, it was determined that the two separate projects (SB 81 Round 1 and SB 81 Round 2) would be established as one combined project with merged documents and financials.

On April 19, 2016, the Board took an action establishing the scope, cost, and schedule of this project allocating \$5,656,000 for Round 1 and \$9,600,000 for Round 2 of the \$294,101,545 lease revenue bond financing authority appropriated in Section 1973 of the Welfare and Institutions Code to partially finance the construction cost of this project. At the time of establishment, the combined total estimated project cost was \$19,052,000. Subsequent to that action, a new project cost estimate was prepared in association with the proposed scope change and increased construction costs. Based on this revised estimate, the new total estimated project cost is \$20,262,000, which is an increase of \$1,210,000.

\$19,052,000	Total authorized project cost
\$20,262,000	Total estimated project cost
\$15,256,000	State costs previously allocated: \$15,256,000 for design-build (\$15,057,000 contract and \$199,000 contingency)
\$0	State cost adjustments: increase \$199,000 for contract and decrease \$199,000 for contingency
\$3,796,000	Local costs previously allocated: \$89,000 for acquisition and study, \$702,000 for performance criteria and concept drawings, and \$3,005,000 for design-build (\$855,000 contingency, \$200,000 A&E, \$1,449,000 other project costs, and \$501,000 agency retained)
\$1,210,000	Local costs adjustments: a decrease of \$50,000 for performance criteria and concept drawings, increase of \$1,260,000 for design-build (increase of \$1,018,000 contract, decrease of \$41,000 contingency, increase of \$100,000 A&E, increase of \$184,000 other project costs, and decrease of \$1,000 agency retained)

CEQA

The Notice of Exemption was filed with the Yuba County Clerk on October 2, 2014, 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 1, 2018, and a number of issues were identified that could adversely affect the beneficial use and quiet enjoyment of the project. As of March 1, 2019, the issues identified in the Summary of Conditions Letter were addressed and resolved. No other issues have been identified that would adversely affect the beneficial use and quiet enjoyment of the project.

Project Schedule

Approve performance criteria and concept drawings	July 2019
Start design-build	January 2020
Complete design-build	January 2022

Staff Recommendation: **Recognize scope change and recognize revised project costs.**

CONSENT ITEM—6

**CALIFORNIA COMMUNITY COLLEGES (6870)
SAN FRANCISCO COMMUNITY COLLEGE DISTRICT, ALEMANY CENTER:
SEISMIC AND CODE UPGRADE
SAN FRANCISCO COUNTY**

*Authority: Chapters 14, 22, and 54, Statutes of 2017, Item 6870-301-6087 (4)
Chapters 29, 30, and 449, Statutes of 2018, Item 6870-301-6087(4)*

Consider:

- a) Approving preliminary plans
 - b) Recognizing an anticipated deficit **\$3,904,000**
- (24.9 percent of total project costs)

STAFF ANALYSIS ITEM—6

California Community Colleges
San Francisco Community College District, Alemany Center:
Seismic and Code Upgrade
San Francisco County

Action Requested

If approved, the requested action would approve preliminary plans and recognize an anticipated deficit.

Scope Description

This project is within scope. The project includes the renovation of the 15,085 assignable square feet Alemany Center to upgrade or replace the following building systems: structural integrity; mechanical; heating and ventilation system; plumbing; electrical; communication; audiovisual; and roofing. In addition, project includes the hazardous material abatement, Americans with Disabilities Act (ADA) compliance and structural improvements necessary to meet modern seismic standards.

Funding and Project Cost Verification

This project is not within cost. The Budget Acts of 2017 and 2018 appropriated \$715,000 Proposition 51 General Obligation Bond (Prop 51) for preliminary plans and \$536,000 Prop 51 for working drawings, respectively, for the San Francisco Community College District, Alemany Center: Seismic and Code Upgrades project. It is anticipated that a construction appropriation for the project will be needed for the 2020-21 budget year.

The revised project cost is based on significantly more detailed information gathered during the preliminary plans phase, revealing that additional seismic strengthening and code compliance, as well as Americans with Disabilities Act (ADA) additions, are required. Specific findings include the following:

- Water damage to the roof is greater than anticipated, necessitating a roof replacement rather than repairs.
- Building codes were updated shortly before the project was initiated. Based on the new code, the building has insufficient plumbing fixtures. A third-floor ADA-compliant restroom must be added to correct this deficiency.
- Foundations and walls require additional strengthening to meet seismic requirements.
- Parking areas on both sides of the building must be reconfigured to provide additional ADA parking, and an accessible building entrance must be relocated to the west side of the building.
- Supplemental security features need to be added to the perimeter fence and gates.

It is anticipated that these additional requirements will increase total construction costs from \$14,398,000 to \$18,302,000 and total project costs from \$15,649,000 to \$19,553,000.

On May 24, 2019, the Department of Finance notified the chairs of the Joint Legislative Budget, the Senate Appropriations, and Assembly Appropriations committees of its intent to recognize the anticipated deficit and recommend that the Board approve preliminary plans no sooner than 20 days from that date.

\$1,251,000 Total authorized project cost

\$19,553,000 Total estimated project cost

\$715,000 Project costs previously allocated: \$715,000 preliminary plans

\$18,838,000 Project costs to be allocated: \$536,000 working drawings, \$18,302,000 construction

\$3,904,000 Anticipated project deficit: \$3,904,000 construction

CEQA

A Notice of Exemption was filed with the State Clearinghouse on January 30, 2019, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

Community college districts have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

Approve preliminary plans	June 2019
Complete working drawings	April 2020
Start construction	October 2020
Complete construction	January 2022

Staff Recommendation: Approve preliminary plans and recognize an anticipated deficit.

ACTION ITEMS

ACTION ITEM—1

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

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1) as reappropriated by the Budget Act of 2018
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1) as reappropriated by the Budget Act of 2018
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 by the High Speed Rail Authority to acquire the following properties for the High Speed Train System:

- 1. Liberty Farms Property (Madera County)**
Authority Parcel Numbers: MF-20-1247-1 (formerly designated as MF-20-9516) and MF-20-1248-1 (formerly designated MF-20-9528)
Assessor Parcel Number: 047-320-022
- 2. Boswell Property (Fresno County)**
Authority Parcel Number: FB-10-1532-2
Assessor Parcel Number: 385-170-64, (formerly designated as 385-170-33)
- 3. Tevendale Property (Kings County)**
Authority Parcel Numbers: FB-16-0461-1 and FB-16-0461-2
Assessor Parcel Number: 002-060-032 (formerly designated as 002-060-027)

STAFF ANALYSIS ITEM—1

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

Action Requested

Adopt Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire properties for the High Speed Train System.

Background

Under California Eminent Domain Law, the Board is the governing body of the High Speed Rail Authority (Authority) for purposes of adopting a Resolution of Necessity that is required for the Authority to initiate the eminent domain proceedings. In order to adopt a Resolution of Necessity 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.

Each of the properties is within the right of way for the Initial Operating Segment, Section 1, extending from Madera to Shafter, and are within the preferred alignment as previously approved by both the High Speed Rail Authority Board of Directors and the Federal Railroad Administration. Acquisition of these properties will allow the Authority to move forward with construction of the High Speed Train System.

The Authority notified the Board's staff that between April 2018 and November 2018, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. The Authority has informed the Board's staff that negotiations to acquire the properties are continuing; however, to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On May 23, 2018, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Liberty Farms Property (Madera County)
Authority Parcel Numbers: MF-20-1247-1 (formerly designated as MF-20-9516) and MF-20-1248-1 (formerly designated MF-20-9528)
Assessor Parcel Number: 047-320-022
Partial Acquisition: Approximately 0.13 acre total (0.09 acre in fee, 0.04 acre in easement)

This property is needed for an underground irrigation canal and an access easement for a landlocked parcel due to the Avenue 10 grade separation construction.

2. Boswell Property (Fresno County)
Authority Parcel Number: FB-10-1532-2
Assessor Parcel Number: 385-170-64 (formerly designated as 385-170-33)
Partial Acquisition: Approximately 0.15 acre in fee

This property is needed to widen E. Clarkson Avenue as required by the county of Fresno.

3. Tevendale Property (Kings County)

Authority Parcel Numbers: FB-16-0461-1 and FB-16-0461-2

Assessor Parcel Number: 002-060-032 (formerly designated as 002-060-027)

Partial Acquisition: Approximately 1.57 acres total (1.18 acres in fee, 0.39 acre in easement)

This property is needed for the construction of the high speed train corridor in between the Dutch John Cut and 9th Avenue.

Staff Recommendation: **Adopt Resolutions of Necessity authorizing the use of eminent domain by the Authority to acquire properties for the HSTS.**

OTHER BUSINESS

NONE

REPORTABLES

TO BE PRESENTED AT MEETING