



CALIFORNIA STATE
PUBLIC WORKS BOARD

EDMUND G. BROWN JR. • GOVERNOR

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STATE PUBLIC WORKS BOARD

April 14, 2016

MINUTES

PRESENT:

Ms. Eraina Ortega, Chief Deputy Director, Department of Finance
Mr. Kome Ajise, Chief Deputy Director, Department of Transportation
Mr. Daniel Kim, Director, Department of General Services
Mr. Blake Fowler, Director, Public Finance Division, State Treasurer
Mr. Tom Yowell, Chief Deputy Director, State Controller

CALL TO ORDER AND ROLL CALL:

Ms. Eraina Ortega, Chairperson of the Board called the meeting to order at 10:00 a.m.
Ms. Karessa Belben, Executive Secretary for the Board, called the roll. A quorum was established.

BOND ITEM:

The agenda included one bond item. If approved, it would adopt a resolution to authorize interim financing and other related actions for the Board of State and Community Corrections, Adult Local Criminal Justice Project, Santa Cruz County.

There were no questions or comments from the public or the Board.

A motion was made by Mr. Ajise and seconded by Mr. Kim to approve and adopt the resolution for the Bond Item. The motion was passed unanimously (Ms. Ortega, Mr. Kim, Mr. Ajise, Mr. Fowler, and Mr. Yowell all voting aye).

MINUTES:

The next order of business was approval and adoption of the March 11, 2016 and March 18, 2016 minutes. Ms. Lukenbill reported that staff had reviewed and recommended approval and adoption of the minutes.

A motion was made by Mr. Kim and seconded by Mr. Ajise to approve the minutes. The minutes were approved by a 3-0 vote (Ms. Ortega, Mr. Kim, and Mr. Ajise voting aye).

CONSENT ITEMS:

The Consent Calendar consisted of two items. The first item would approve an augmentation for the California Conservation Corps, Delta Service District Center, San Joaquin County and the second item would approve a Scope Change for the Department of State Hospitals, Statewide Enhanced Treatment Units, San Luis Obispo and San Bernardino Counties.

Staff recommended approval of the Consent Calendar.

There were no comments or questions from the Board or the public.

A motion was made by Mr. Ajise and seconded by Mr. Kim to approve the Consent Calendar. The Consent Calendar was approved by a 3-0 vote (Ms. Ortega, Mr. Kim, and Mr. Ajise voting aye).

ACTION ITEMS:

Ms. Lukenbill presented one Action Item to the Board.

Action Item 1: If approved, the requested action would authorize site selection of 97 assessors parcels in full or in part in Madera County.

Staff recommended approval of the item.

Michael Slater addressed the Board on behalf of the Madera Valley Water Company. He stated that the Water Company has no opinion on the High Speed Rail project or the site selection, but informed the Board that 55 of the parcels have shares in the corporation and that the Madera Valley Water Company has extensive facilities along the rail route. Mr. Slater stated that they simply wanted to make sure that the Board and High Speed Rail were aware of the Madera Valley Water Company.

There were no further comments or questions from the Board or public.

A motion was made by Mr. Kim and seconded by Mr. Ajise to approve Action Item 1. The Action Item was approved by a 3-0 vote (Ms. Ortega, Mr. Kim, and Mr. Ajise voting aye).

Action Item 2: If approved, the requested action would amend Resolutions of Necessity 2013-0024 authorizing the use of eminent domain to acquire the Meraz Family Trust Property in Fresno County. Ms. Lukenbill stated that the Pacific Orchards property had been pulled from the agenda.

There were no questions or comments from the Board or public.

A motion was made by Mr. Ajise and seconded by Mr. Kim to approve Action Item 2. The Action Item was approved by a 3-0 vote (Ms. Ortega, Mr. Kim, and Mr. Ajise voting aye).

Action Item 3 was taken out of order.

REPORTABLES:

Ms. Lukenbill presented the reportable items for March 12, 2016 through April 14, 2016.

Mr. Ajise asked Ms. Lukenbill if the possession and use agreements were a part of the delegations that were put in place at the February 12, 2016 Public Works Board meeting.

Ms. Lukenbill informed Mr. Ajise that while Possession and Use Agreements were a part of a previous delegation, the current Reportables has incorporated the most recent delegations.

OTHER BUSINESS:

There was no other business to present at this meeting.

PUBLIC COMMENT:

Ms. Ortega asked the individuals who submitted speaker cards to present their issues. The first speaker was Mr. Frank Oliveira. Mr. Oliveira informed the Board that he attended the meeting requesting answers to his questions from the last Public Works Board meeting. Ms. Ortega informed Mr. Oliveira that the High Speed Rail would provide that information and that the Public Works Board does not handle the documents he asked about. She encouraged Mr. Oliveira to communicate with High Speed Rail regarding his concerns. Mr. Alan Glen from High Speed Rail informed the Board that the first lease was not missing and was in the file, and that Mr. Oliveira has provided a duplicate of the second lease.

Mr. Glen informed the Board that there was no evidence that the second lease was provided to the Agent assigned to Mr. Oliveira and that High Speed Rail replaced the Agent because Mr. Oliveira was not satisfied. Mr. Oliveira stated that he provided the email showing the lease that was sent to the first Agent assigned to his property. He also told the Board that he disagrees with Mr. Glen's decision to close the matter because he feels his questions were not answered. Ms. Ortega expressed her empathy for his situation, but informed him that she does not have the information that he is requesting. Mr. Glen informed Ms. Ortega that he will continue to work with Mr. Oliveira on the questions he has.

ACTION ITEM 3:

Action Item 3: If approved, the action would adopt Resolutions of Necessity authorizing the use of eminent domain to acquire 13 properties in Fresno, Kings, Tulare, and Kern Counties totaling approximately 50 acres. Specifically, the request would adopt Resolutions of Necessity for properties 2-7, 9-11 and 14-17. Properties 1, 8, 12, and 13 were pulled from the agenda.

Ms. Ortega called Mr. Shawn Shiralian to present his comment for Action Item 3. Mr. Shiralian was unaware of the process of the Resolution of Necessity. Mr. Don Odell explained that parcels are identified for the High Speed Rail project. After that, the owners are notified that their parcel is necessary for the project and that High Speed Rail Authority and the owner work out an agreement. Mr. Shiralian confirmed that he has been working with the High Speed Rail Authority. Mr. Odell apologized for the confusion that brought Mr. Shiralian to the meeting unnecessarily. He informed the Board and Mr. Odell that he has found another property to move his business to and is willing to work with High Speed Rail. Ms. Ortega told Mr. Shiralian that the Board's action does not affect his ability to negotiate with High Speed Rail.

Ms. Georgallis acting as Counsel to the Board on eminent domain issues addressed the concerns raised in the letters of objection and presented the Resolutions of Necessity.

Staff recommended approval of Action Item 3.

There were no additional comments or questions from the Board or public.

A motion was made by Mr. Kim and seconded by Mr. Ajise to approve Action Item 3. The Action Item was approved by a 3-0 vote (Ms. Ortega, Mr. Kim, and Mr. Ajise voting aye).

NEXT MEETING:

Ms. Ortega stated the next Board meeting is scheduled for Friday, May 13 at 2:00 p.m. in Room 113 at the State Capitol.

The meeting was adjourned at 10:36 a.m.