



STATE PUBLIC WORKS BOARD

May 8, 2020

APPROVED MINUTES**PRESENT:**

Ms. Gayle Miller, Chief Deputy Director, Department of Finance
Mr. Jim Davis, Chief Deputy Director, Department of Transportation
Mr. Daniel Kim, Director, Department of General Services
Ms. Jacqueline Wong-Hernandez, Deputy Controller, State Controller
Ms. Fiona Ma, State Treasurer, State Treasurer's Office

CALL TO ORDER AND ROLL CALL:

Ms. Gayle Miller, Chairperson of the Board, called the meeting to order at 10:10 a.m.
Ms. Kat Lee, serving as Secretary to the Board, called the roll. A quorum was established.

BOND ITEMS:

The first order of business was to consider three Bond Items:

- Bond Item 1: Ms. Sally Lukenbill, Deputy Director for the Board, indicated that if approved, Bond Item 1 would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, approve the form of and authorize the execution and delivery of a Project Delivery Agreement, and other related actions for the construction of the Renovation and Addition to Willows Courthouse Project in Glenn County, for the Judicial Council of California.

Staff recommended adoption of the resolution.

Ms. Miller asked if there were any comments or questions from the Board or from the public.

Ms. Wong-Hernandez had a general question about projects and the future of work.

Ms. Lukenbill explained that the administration will be looking at opportunities to reconfigure existing space and reevaluate new space during construction.

A motion was made by Ms. Ma and seconded by Ms. Wong-Hernandez to adopt staff recommendation. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Mr. Davis, Ms. Wong-Hernandez, and Ms. Ma all voting aye).

- Bond Item 2: Ms. Sally Lukenbill indicated that if approved, Bond Item 2 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 for the construction of the Kings County Juvenile Project in Kings County, for the Department of Corrections and Rehabilitation.

Staff recommended adoption of the resolution.

Ms. Miller asked if there were any questions or comments from the Board, or from the public.

Ms. Ma asked for clarification about the funding and cost verification section not being within cost.

Ms. Lukenbill explained that the additional costs would be absorbed by the local jurisdiction.

Koreen Van Ravenhorst confirmed Ms. Lukenbill's statement.

A motion was made by Ms. Ma and seconded by Ms. Wong-Hernandez to adopt the staff recommendation. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Mr. Davis, Ms. Wong-Hernandez, and Ms. Ma all voting aye).

- Bond Item 3: Ms. Sally Lukenbill indicated that if approved, Bond Item 3 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 for the construction of the Tri County Regional Juvenile Project in Yuba County, for the Department of Corrections and Rehabilitation.

Staff recommended adoption of the resolution.

Ms. Miller asked if there were any comments or questions from the Board, or from the public.

Ms. Ma asked if the projects were meeting the deadlines.

Ms. Lukenbill stated that they are all within their prescribed schedules.

Ms. Ravenhorst confirmed that all dates were correct.

A motion was made by Ms. Ma and seconded by Ms. Wong-Hernandez to adopt the staff recommendation. The motion passed unanimously through a 5-0 roll-call vote Ms. Miller, Mr. Kim, Mr. Davis, Ms. Wong-Hernandez, and Ms. Ma all voting aye).

Ms. Ma and Ms. Wong-Hernandez were thanked and excused.

MINUTES:

The next order of business was to approve the minutes from the March 13, 2020 and April 6 Board meetings.

Ms. Lukenbill stated that staff had prepared and reviewed the minutes from the March 13, 2020 and April 6, 2020 Board meetings and recommended approval of the meeting minutes.

Ms. Miller asked if there were any comments or questions from the Board, or from the public. There were none.

A motion was made by Mr. Kim and seconded by Mr. Davis to approve the minutes from the March 13, 2020 and April 6, 2020 Board meetings. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim, and Mr. Davis all voting aye).

CONSENT ITEMS:

The next order of business was to consider the Consent Calendar, which consisted of four items. Ms. Lukenbill presented the following:

- Consent Item 1: Consider approving a scope change and an augmentation for the Oxnard Field Office Reconfiguration Project in Ventura County, for the Department of Motor Vehicles.
- Consent Item 2: Consider recognizing revised projects costs and consider approving the allocation of \$2.7 million authority to one Health Care Facilities Improvement Program project at the California Correctional Institution, for the Department of Corrections and Rehabilitation.
- Consent Item 3: Consider approving preliminary plans for the Modernize Academic Building-Boykin Hall project at College of the Canyons, Santa Clarita Community College District, for the California Community Colleges.
- Consent Item 4: Consider authorizing the acquisition of a long-term leasehold interest in real property, and authorizing the Executive Director and Deputy Directors of the Board to take any actions necessary to carry out the acquisition, for the Los Alamitos National Guard Readiness Center project in Orange County, for the California Military Department.

Ms. Lukenbill stated that consent item 1 and 2 required a 20-day notice to the Joint Legislative Budget Committees and the fiscal committees in each house, and the review period for those actions had expired without adverse comment.

Staff recommended approval of the Consent Calendar.

Ms. Miller asked if there were any comments or questions from the Board, or from the public.

Mr. Davis asked if the budget Letter 20-11 applied to the contracts in these items.

Ms. Lukenbill explained that the Budget Letter 20-11 related mostly to procurement contracts, and that regardless of whether these projects continue under the current fiscal environment, this action is a necessary step in the administration of capital projects.

A motion was made by Mr. Kim and seconded by Mr. Davis to approve the Consent Calendar. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim, and Mr. Davis all voting aye).

ACTION ITEMS:

The next order of business was to consider one action item:

- Action item 1: If approved, the action would adopt eight Resolutions of Necessity authorizing the use of eminent domain to acquire various properties for the High Speed Rail Authority.

Ms. Lukenbill noted that the Smittcamp properties had been pulled from the agenda and would not be part of the vote.

Ms. Lukenbill stated that the parcels that were subject of the action were within the right of the way for the Initial Operating Segment, Section 1 of the High Speed Rail Train System, and that on April 20, Notices of Intent to adopt a Resolution of Necessity were mailed to the property owners. The notice was sent in accordance with the Code of Civil Procedure section 1245.235.

Ms. Lukenbill noted that the members' briefing packages contained the Resolutions of Necessity and maps for each of the properties.

Collen Wahl, serving as counsel to the Board on Eminent Domain items, presented the unopposed Resolutions of Necessity first. She explained that it was counsel's opinion that there was prima facie evidence for the factors was present and that if the Board agreed and determined the factors were present, the Board may move to adopt the unopposed Resolutions of Necessity.

Staff recommended adoption of seven Resolutions of Necessity authorizing the use of eminent domain for the following unopposed properties: Fowler Packing, Mina Orchard (2), DJM Sales, and Premier Partners (3).

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

A motion was made by Mr. Davis and seconded by Mr. Kim to adopt staff recommendation. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim, and Mr. Davis all voting aye).

Ms. Wahl then presented the opposed Resolution of Necessity for the 2113 E. Manning property in Fresno County.

Ms. Wahl stated that the Resolution of Necessity, the objections, and the High Speed Rail Authority's response had been reviewed and it was counsel's opinion that there was prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 were present and that if the Board agreed and determined the factors were present, the Board may move to adopt the Resolution of Necessity.

Staff recommended adoption of the Resolution of Necessity authorizing the use of eminent domain.

Ms. Miller asked if there were any comments or questions from the Board, or from the public.

Mr. Michael Davis, representing the 2113 E. Manning property in Fresno County, stated that his objection is based on his belief that the property is not needed for the project, and that it is not compatible with the greatest public good and least private injury. He noted that the well to the facility was moved as a result of the first property take, and now the second property take is disrupting a solar project on the premises. Mr. Davis stated that the High Speed Rail Authority should be required to coordinate with the solar project to avoid any further impacts to the facility.

Ms. Kendall Bonebrake, counsel for the Authority, explained that this second property take was necessary, as it was needed for an overpass. Ms. Bonebrake further noted that High Speed Rail staff was committed to working collaboratively with the contractor on the solar project.

Mr. Michael Davis, stated that he understands the need for the additional property being taken, and just wanted to ensure that the property take created no greater private injury than is necessary.

A motion was made by Mr. Kim and seconded by Mr. Davis to adopt staff recommendation. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim, and Mr. Davis all voting aye).

OTHER BUSINESS:

NONE

REPORTABLES:

Ms. Lukenbill presented the reportable items and told the Board that she would be happy to answer any questions. There were no questions or comments from the Board.

NEXT MEETING:

Ms. Miller stated that the next Board meeting was scheduled for Friday, June 12, 2020, time and location to be determined.

Ms. Miller asked if there were any other questions or comments from the Board, or from the public. There were none.

The meeting was adjourned at 10:40 a.m.