



STATE PUBLIC WORKS BOARD
September 13, 2019

APPROVED MINUTES**PRESENT:**

Ms. Gayle Miller, Chief Deputy Director, Department of Finance
Mr. Daniel Kim, Director, Department of General Services

CALL TO ORDER AND ROLL CALL:

Ms. Gayle Miller, Chairperson of the Board, called the meeting to order at 10:01 a.m.
Ms. Kat Lee, serving as Secretary to the Board, called the roll. A quorum was established.

APPROVAL OF MINUTES:

The first order of business was to approve the minutes from the August 16th 2019 Board meeting.

Ms. Lukenbill reported that Board staff had prepared and reviewed the minutes from the August 16th Board meeting, and recommended approval of the minutes.

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. Kim and seconded by Ms. Miller to adopt the staff recommendation and approve the minutes from the August 16th Board meeting. The motion passed through a 2-0 roll-call vote (Ms. Miller and Mr. Kim both voting aye).

CONSENT ITEMS:

The next order of business was to consider the Consent Calendar, which consisted of three items:

- **Consent Item 1:** Consider approving an augmentation for the Statewide - Enhanced Treatment Units project at Atascadero State Hospital and Patton State Hospitals in San Luis Obispo and San Bernardino Counties, respectively, for the Department of State Hospitals (DSH). Specifically, the augmentation would address increased project costs due to challenges with contractor oversight, site conditions, and project design issues at the Atascadero State Hospital project site.
- **Consent Item 2:** Consider approving the allocation of authority and recognize revised project costs for four Health Care Facilities Improvement Program projects at California Correctional Center in Lassen County, California Correctional Institution in Kern County, California Medical Facility in Solano County, and High Desert State Prison in Lassen County, for the Department of Corrections and Rehabilitation (CDCR).
- **Consent Item 3:** Consider approving a scope change, recognize an anticipated deficit, approve preliminary plans, and recognize revised project costs for the California Institution for Men, 50-Bed Mental Health Crisis Facility, San Bernardino County, for the Department of Corrections and Rehabilitation

Ms. Lukenbill noted that all three consent items required 20-day notices to the Joint Legislative Budget Committees and the fiscal committees in each house, and the review period for the actions for items 1 and 2 had expired without adverse comment. For item 3, the JLBC sent a letter of concurrence for the actions before the Board.

Staff recommended approval of the Consent Calendar consisting of Consent Items 1 through 3.

Ms. Miller asked if there were any questions or comments.

Mr. Kim wanted to know what the larger plan was for all DSH facilities and CDCR facilities, including the demographic outlook.

Ms. Debi Nishimoto from DSH and Mr. Dean Borg, Deputy Director of Facility Planning, Construction and Management Division at CDCR, addressed Mr. Kim's questions about their respective departments.

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. Kim and seconded by Ms. Miller to adopt the staff recommendation and approve the Consent Calendar. The motion passed unanimously through a 2-0 roll-call vote (Ms. Miller and Mr. Kim both voting aye).

ACTION ITEMS:

The next order of business was to consider one Action item.

- Ms. Lukenbill noted that if approved, the action would adopt a Resolution of Necessity authorizing the use of eminent domain to acquire the Warner Capital Assets Property in Fresno County.

Ms. Lukenbill stated the Authority notified Board staff that in June 2019, the property owner was provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. On August 22nd, 2019, a Notice of Intent to adopt a Resolution of Necessity was mailed to the property owner. This notice was sent in accordance with Code of Civil Procedure section 1245.235.

Ms. Lukenbill noted that the members' briefing packages contained the Resolution of Necessity and maps for the property.

Shadbanou Azad, serving as counsel to the Board on eminent domain issues, approached the Board and presented the Resolution of Necessity.

Ms. Azad stated that the Resolution of Necessity before the Board for the Warner Capital Assets Property had been reviewed, to ensure there was prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 were present.

Ms. Azad explained that it is was counsel's opinion that prima facie evidence for the factors was present, such that the Board may adopt the Resolution of Necessity. If the Board agreed and determined the factors were present, the Board may move to adopt the Resolution of Necessity for the property.

Staff recommended adoption of the Resolution of Necessity authorizing the use of eminent domain for the Warner Assets Property.

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. Kim and seconded by Ms. Miller to adopt staff recommendation to adopt the Resolution of Necessity. The motion passed through a 2-0 roll-call vote (Ms. Miller and Mr. Kim both voting aye).

OTHER BUSINESS:

NONE

REPORTABLES:

Ms. Lukenbill presented the reportables for the period August 16, 2019 to September 13, 2019. There were no questions or comments from the Board.

NEXT MEETING:

Ms. Miller stated that the next Board meeting is scheduled for Friday, October 11, 2019 at 10:00 a.m. in Room 113 at the State Capitol.

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 10:25 a.m.