



STATE PUBLIC WORKS BOARD  
October 9, 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  
Mr. Blake Fowler, Director of Public Finance, State Treasurer  
Mr. Bryan Cash, Secretary, Natural Resources Agency

**CALL TO ORDER AND ROLL CALL:**

Ms. Gayle Miller, Chairperson of the Board, called the meeting to order at 10:00 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. Miller stated that the item was pulled and would be on a future Board meeting.
- Bond Item 2: Ms. Lukenbill indicated that if approved, Bond Item 2 would adopt a resolution authorizing actions to be taken to provide for interim financing, to authorize the sale of lease revenue bonds, to declare the Board's intent to reimburse certain capital expenditures from the proceeds of the sale of the bonds, and to authorize the Board to take any actions necessary to carry out the purpose of the resolution, for the construction of the Adult Local Criminal Justice Facility Project in Merced County, for the Board of State and Community Corrections.

Staff recommended adoption of the resolution.

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 Ms. Wong-Hernandez and seconded by Mr. Fowler to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).**

- Bond Item 3: Ms. Lukenbill indicated that if approved, Bond Item 3 would adopt a resolution authorizing actions to be taken to provide for interim financing, to authorize the sale of lease revenue bonds, to declare the Board's intent to reimburse certain capital expenditures from the proceeds of the sale of the bonds, and to authorize the Board to take any actions necessary to carry out the purpose of the resolution, for the construction of the Adult Local Criminal Justice Facility Project in Yolo County, for the Board of State and Community Corrections.

Staff recommended adoption of the resolution.

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 Ms. Wong-Hernandez and seconded by Mr. Fowler to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).**

- Bond Item 4: Ms. Lukenbill indicated that if approved, Bond Item 4 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 a new Skilled Nursing Facility at the Veterans Home of California, Yountville, in Napa County, for the Department of Veterans Affairs.

Staff recommended adoption of the resolution.

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. Wong-Hernandez to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).**

Ms. Miller thanked and excused Ms. Wong-Hernandez and Mr. Fowler from the meeting.

#### **MINUTES:**

The next order of business was to approve the minutes from the September 11, 2020 and September 21, 2020 Board meetings.

Ms. Lukenbill stated that staff had prepared and reviewed the minutes from the September 11, 2020 and September 21, 2020 Board meetings and recommended approval of the meeting 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. Davis and seconded by Mr. Kim to approve the minutes from the September 11, 2020 and September 21, 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 A, which consisted of two items. Ms. Lukenbill presented the following:

- Consent Item 1: If approved, the request would authorize the acquisition of real property and the execution of a Property Acquisition Agreement and other such documents that may be required to complete the acquisition, for the 17-acre Barr Property in Santa Cruz County, for the Department of Forestry and Fire Protection. The property would be added to the Soquel Demonstration State Forest operation and would provide potential historical, cultural, and educational value and would allow for better access to the existing site.

Ms. Lukenbill noted that there was a minor error in the staff analysis portion of the item, which listed the county where the project was located as Contra Costa, when it was in fact located in Santa Cruz County as stated, and as accurately reflected in the 10-day notice portion of the item.

- Consent Item 2: If approved, the request would authorize the acquisition of real property and the execution of a Property Acquisition Agreement and other such documents that may be required to complete the acquisition, for the approximately 260-acre Kemp property, in Tulare County, for the Department of Forestry and Fire Protection (CalFire). The property would be added to the existing Mountain Home Demonstration State Forest Site, and would provide roads and timber harvesting infrastructure, and would allow CalFire to provide needed resources and support to clean up debris and other fire hazards on the property.

Staff recommended approval of Consent Calendar A, which consisted of items 1 and 2.

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

Mr. Davis requested that someone from CalFire to explain to the public what the project is about.

Mr. Helge Eng, Deputy Director for Forestry, CalFire, explained that the Mountain Home Demonstration State Forest Site is essentially a living laboratory for the department to demonstrate and research sustainable forest practices. He noted that the completion of the Barr property is also important in relation to the Governor's stated commitment to outdoor recreation for all Californians.

Ms. Cash agreed with Mr. Eng that not only do they provide land for the Demonstration State Forest, but that there are also opportunities for recreation and access, as they are located near huge population centers.

**A motion was made by Mr. Cash and seconded by Mr. Davis. The motion passed unanimously through a 4-0 roll-call vote (Ms. Miller, Mr. Kim, Mr. Davis, and Mr. Cash all voting aye).**

Ms. Miller thanked and excused Mr. Cash from the meeting.

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

- Consent Item 1: If approved, the request would approve a third amendment to the lease purchase agreement for the construction of the Tracy Area Office Replacement Project, in San Joaquin County, for the California Highway Patrol. For this item, the Department of General Services submitted a 30-day notice to the Legislature pursuant to Government Code Section 13332.10. The 30 day notification period will end on October 15, 2020. Approval of this item today will be contingent upon expiration of that notice period with no adverse comment.
- Consent Item 2: If approved, the request would recognize a scope change and revised project costs, and consider approving preliminary plans, for the Adult Local Criminal Justice Facility Project, in San Joaquin County, for the Board of State and Community Corrections. Consent item 2 required a 20-day notice to the Joint Legislative Budget Committees and the fiscal budget committees in both houses. The review period expired without adverse comment.
- Consent Item 3: If approved, the request would authorize the acquisition of real property through the exercise of an option to purchase pursuant to a lease agreement, and consider authorizing the execution of a Property Acquisition Agreement and other such documents that may be required to complete the acquisition, for a facility containing approximately 24,000 sf of office and laboratory space in the City of Anaheim, Orange County, for the Department of Food and Agriculture. Since this item was finalized, the Department of General Services notified the Board that the Phase 1 Environmental site assessment has been completed, and no other investigation is required unless findings from Santa Ana Regional Water Quality Control Board determines otherwise. The Board does not believe this should delay acquisition of the property, as the Department of Food and Agriculture has been on this property for over 40 years and could lose investments in the property if the option isn't exercised.

Staff recommended approval of Consent Calendar B, which consisted of items 1, 2, and 3.

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

Mr. Kim requested clarification on what the Department of Corrections and Rehabilitation's (CDCR) larger plans were with respect to closure and building out new facilities.

Mike Potter, Chief of Capital Planning and Project Services Branch, from CDCR, addressed Mr. Kim's question and stated that he was aware there were directions to

close two prisons and that it was announced that one of the prisons would be closing over the course of the next year. However, that was the only information he had at the time. Mr. Kim asked if the item could be discussed further at the next Board meeting.

Ms. Miller stated that scenario planning would be helpful when continuing with construction.

Ms. Lukenbill stated that she would follow up with CDCR.

Ms. Miller asked if there were any other questions or comments. There were none.

**A motion was made by Ms. Miller and seconded by Mr. Kim. 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 three Resolutions of Necessity authorizing the use of eminent domain to acquire the Raven, FMC Corporation, and Eveland properties for the High Speed Rail Authority.

Ms. Lukenbill stated that the parcels that were subject of the action were within the right of way for the Initial Operating Segment, Section 1 of the High Speed Rail Train System. The Authority notified the Board that property owners were provided with the first offers to acquire the properties in July 2020, as required by government code. On September 18, 2020, Notices of Intent to adopt a Resolution of Necessity were mailed to the property owners. The notices was sent in accordance with the Code of Civil Procedure section 1245.235.

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

Board counsel had reviewed the objections raised in the letter, and based on their review, staff recommended that the Board move forward with the adoption of the Resolution of Necessity for the property separately from the five RONS which did not receive objections or adverse comment.

Shadbanou Azad, serving as counsel to the Board on Eminent Domain items, presented the RONS. She explained that it was counsel's opinion that there was prima facie evidence that the factors were present. She added that if the Board agreed and determined that the factors were present, the Board may move to adopt the RONS.

Staff recommended adoption of the three Resolutions of Necessity authorizing the use of eminent domain.

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 the three RONS. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim, and Mr. Davis all voting aye).**

**OTHER BUSINESS:**

NONE

**GENERAL PUBLIC COMMENT:**

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 Monday, October 19, 2020 at 10 a.m. and the Zoom link will be posted online.

Ms. Miller stated the Board would be sure to follow-up on scenario planning for Mr. Kim. Ms. Miller asked if there were any other questions or comments from the Board, or from the public on any other matters within the Board's jurisdiction. There were none.