



STATE PUBLIC WORKS BOARD
December 11, 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
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 10:02 a.m.
Ms. Kat Lee, serving as Secretary to the Board, called the roll. A quorum was established.

MINUTES:

The next order of business was to approve the minutes from the November 13, 2020 Board meeting.

Ms. Lukenbill stated that staff had prepared and reviewed the minutes from the November 13, 2020 Board meeting 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 meeting minutes. 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, for items in the Natural Resources Agency, which consisted of three items. Ms. Lukenbill presented the following:

- Consent Item 1: If approved, the request would authorize the acquisition of approximately 0.5 acres of real property in Los Angeles County, and the execution of an exchange agreement and any such documents as may be required to complete the acquisition, for the Leighton Avenue parcels at Exposition Park.

- Consent Item 2: If approved, the request would authorize an augmentation to complete the restoration of the Historic Covered Bridge Project at South Yuba River State Park, in Nevada County, for the Department of Parks and Recreation.
- Consent Item 3: If approved, the request would authorize the acquisition of approximately 17,000 acres of real property in San Diego, Riverside, and Imperial Counties, and the execution of a Property Acquisition Agreement and any such documents as may be required to complete the acquisition, for the benefit of the Anza Borrego State Park, for the Department of Parks and Recreation.

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

Staff recommended approval of Consent Calendar A, consisting of Items 1 through 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. Cash and seconded by Mr. Kim to approve Consent Calendar A. 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 two items, however, Ms. Lukenbill noted that Consent Item 1 had been pulled from the agenda and would not be part of the vote.

Ms. Lukenbill presented the following:

- Consent Item 2: If approved, the request would recognize a scope change and an anticipated deficit, for the Arsenic Removal Water Treatment Plant Project at Valley State Prison, in Madera County for the Department of Corrections and Rehabilitation.

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

Staff recommended approval of Consent Calendar B, consisting of Consent Item 2.

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 Mr. Davis to approve Consent Calendar B. 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 nine Resolutions of Necessity authorizing the use of eminent domain to acquire properties or interest in properties for the High Speed Rail Authority.

Ms. Lukenbill noted that the Jennings (property #7 in Kern County), Schakel (properties 11, 12, and 13 in Tulare County), SFP-E (property #14 in Fresno County), and the Liberty Farms (property #15 in Madera County) had been withdrawn, and would not be part of the vote.

Ms. Lukenbill stated that the parcels that were the subject of the action were within the right of way for the Initial Operating Segment, Section 1 of the High Speed Train System.

Ms. Lukenbill stated that the Authority notified the Board that property owners were provided with the first offers to acquire the subject properties between June 2020 and October 2020, as required by government code. On November 23, 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 and the Board did not received any objections from the respective property owners or their counsel for the subject properties.

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 set forth in Code of Civil Procedures were present, and 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 nine Resolutions of Necessity authorizing the use of eminent domain to acquire properties or interest in properties, specifically for properties 1-6 and 8-10 for the High Speed Train System.

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

Mr. Davis requested clarification on why a number of properties had been pulled after notifying property owners.

Jennifer Lowden, Director of Real Property for the High Speed Rail Authority, explained that the properties were pulled due to continued negotiations with design-builders and utility companies and/or to address additional requirements or outstanding questions requiring further review.

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

A motion was made by Ms. Miller and seconded by Mr. Kim to adopt the 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

GENERAL PUBLIC COMMENT:

NONE

REPORTABLES:

Ms. Lukenbill presented the reportable items for the period of October 30 2020 and November 30, 2020, 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, January 15, 2020, and information would be posted on the Board's website.

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

The meeting was concluded.