



STATE PUBLIC WORKS BOARD  
February 12, 2021

**APPROVED MINUTES****PRESENT:**

Ms. Gayle Miller, Chief Deputy Director, Department of Finance  
Mr. Jim Davis, Chief Deputy Director, Department of Transportation  
Ms. Osborn, Chief Deputy Director, Department of General Services  
Ms. Jacqueline Wong-Hernandez, Deputy Controller, State Controller  
Mr. Blake Fowler, Director of Public Finance, State Treasurer

**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 two Bond Items.

- Bond Item 1: Ms. Lukenbill, Executive 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 California Institution For Men, 50-Bed Mental Health Crisis Facility project in San Bernardino County, for the Department Of Corrections and Rehabilitation.

Ms. Lukenbill stated that the design and construction of a new, 50-Bed Mental Health Crisis Facility (MHCF) at California Institution for Men (CIM) would provide housing, treatment, and office space to allow for inmate-patients in a mental health crisis state or inmate-patients requiring other levels of licensed mental health care to be treated. This building will provide licensed space that can be operated at either MHCF or Intermediate Care Facility level of care for both male and female inmate-patients. The building will be approximately 70,000 square feet to accommodate housing, administration, treatment, and custody services required to support 50 inmate-patients. There will be 6 individual exercise yards and 2 group yards on the exterior of the building.

Ms. Lukenbill indicated there was a change to the staff analysis for this item. The staff analysis, on page three, states that the CEQA challenges were to be heard on February 8<sup>th</sup>, but that hearing has now been moved to February 22<sup>nd</sup>.

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, Ms. Osborn, Mr. Davis, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).**

- 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, authorize the sale of lease revenue bonds, and other related actions for the construction of the Adult Local Criminal Justice Facilities Project in Yuba County, for the Board of State and Community Corrections.

Ms. Lukenbill noted the project included the design and construction of a new, stand-alone jail facility on county-owned land adjacent to the existing county jail in the City of Marysville. The new building would provide special use housing, medical and mental health treatment, a secure corridor to the existing jail, and support services.

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The special use housing unit will provide approximately 10 beds for mental health and medical treatment. The housing unit will include custody station, dayrooms, and support space. The medical and mental health area will include medical exam/treatment, radiology and dental clinic, interview, group treatment spaces and classroom/vocational space.

Staff recommended adoption of the resolution.

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

Ms. Wong-Hernandez asked for clarification on where the mental health and medical treatments were currently being treated.

Jim Aboytes, Project Director with Vanir Construction Management, explained that the current jail space is inadequate because the population has increased over time, and the new space would provide more modernized and adequate space for the population to the existing jail.

Mr. Aboytes stated that the mental health and medical treatments were currently being taken care of in existing facilities.

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

**A motion was made by Ms. Wong-Hernandez and seconded by Ms. Osborn to adopt the resolution. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Ms. Osborn, 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 January 15, 2021 Board meeting.

Ms. Lukenbill stated that staff had prepared and reviewed the minutes from the January 15, 2021 Board meeting and recommended approval of those 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 Ms. Miller and seconded by Ms. Osborn to approve the minutes from the January 15, 2021 Board meeting. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Davis, and Ms. Osborn all voting aye).**

#### **CONSENT ITEMS:**

The next order of business was to consider six consent items:

- Consent Item 1: If approved, the request would approve an augmentation of \$3,552,000 Public Buildings Construction Fund for the New Yreka Courthouse project, Siskiyou County, for the Judicial Council of California.
- Consent Item 2: If approved, the request would approve an augmentation of \$498,000 General Fund for the Statewide – Enhanced Treatment Units project, San Luis Obispo County and San Bernardino County, for the Department of State Hospitals.
- Consent Item 3: If approved, the request would recognize: (1) a scope change, and (2) revised project costs for the Adult Local Criminal Justice Facilities Project, Colusa County, for the Board of State and Community Corrections.
- Consent Item 4: If approved, the request would approve an augmentation of \$1,369,000 General Fund for the Calipatria State Prison - Health Care Facility Improvement Program, Phase I, Imperial County for the Department Of Corrections And Rehabilitation.
- Consent Item 5: If approved, the request would recognize: (1) a scope change, and (2) revised project costs for the California State Prison, Corcoran: Medication Distribution Improvements Phase II project, Kings County, for the Department Of Corrections And Rehabilitation.
- Consent Item 6: If approved, the request would: (1) recognize a scope change, (2) approve the allocation of \$17,460,000 authority for five projects, and (3) recognize revised project costs for the Health Care Facility Improvement

Program, Statewide projects, for the Department Of Corrections and Rehabilitation.

Ms. Lukenbill noted that items 1 through 6 each required a 20-day notice to the Joint Legislative Budget Committees and the fiscal committees in each house, and the review period for the actions had expired without adverse comment.

Staff recommended adoption of the Consent Calendar.

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

Mr. Davis expressed his concerns about all of the changes and prior commitments made by the Director regarding consent item 6.

Ms. Miller added that given current timelines and available funding, the Board wants additional information to ensure the scope changes can be implemented and projects can be completed on time within the existing budgets.

Chris Lief, Deputy Director for Facility Planning Construction and Management at the Department of Corrections and Rehabilitation, explained that they are continuing to examine the projects to see if there are more efficient ways to complete them. He explained that although there have been some general complications, they remain committed to working on the program and completing it successfully.

Mr. Lief stated that they will work with the Board to provide an overview of the program.

**A motion was made by Ms. Miller and seconded by Mr. Davis to approve the Consent Calendar. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Davis, and Ms. Osborn 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 (RONS) authorizing the use of eminent domain to acquire properties or interests in properties for the High Speed Rail project.

Ms. Lukenbill noted that properties #5 (Martinez/Orozco) and #6 (Bustos) had been pulled from the agenda and will not be part of the vote.

Ms. Lukenbill stated that the properties on the agenda are within the right of way for the Initial Operating Segment, Section 1, extending from Madera to Shafter, and are within the preferred alignment as previously approved by both the High Speed Rail Authority Board of Directors and the Federal Railroad Administration. Acquisition of these properties will allow the Authority to move forward with construction of the High Speed Train System.

Authority notified the Board's staff that between August 2020 and November 2020 the respective property owners were provided with a first written offer to purchase the

subject properties, as required by Government Code section 7267.2. The Authority had informed the Board's staff that negotiations to acquire the property are continuing; however, to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain was required at this time.

On January 26, 2021 and January 27, 2021, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the property owners. The notices were sent in accordance with Code of Civil Procedure.

Ms. Lukenbill noted that the members' briefing packages contained the RONS, and surveyor maps for each of the properties, an objection letter, and a request to appear from counsel representing property #3, the de Jong property in Kings County and High Speed Rail's response to that objection. Board counsel has reviewed the objections raised in the letter, and based on their review, staff feels comfortable recommending that the Board move forward with the adoption of the Resolution of Necessity for this property; however, staff recommends the Board consider the de Jong property separately from the eight Resolutions of Necessity which did not receive objections or adverse comment. As a result, the eight Resolutions of Necessity for the unopposed properties (Properties 1, 2, 4, and 7 through 11) was presented first, with a separate vote.

Joe Carroll, serving as counsel to the Board on Eminent Domain items, presented the unopposed RONS. He explained that it was counsel's opinion that there was prima facie evidence that the factors set forth in Code of Civil Procedures section 1245.230 were present. Specifically, that the Resolutions provide:

1. The public interest and necessity require the Project;
2. That the proposed Project is planned and located in a manner that will provide the greatest public good with the least private injury;
3. The acquisition property described in Exhibit A to each of the Resolutions is necessary for the project; and
4. The offers of just compensation required by Government Code section 7267.2 have been made to all owners of record as required by the statute

It is counsel's opinion that for the eight unopposed Resolutions of Necessity, prima facie evidence for these factors is present such that the Board may adopt the Resolutions of Necessity, and if the Board agreed and determined that the factors were present, the Board may move to adopt the RONS.

Staff recommended adoption of the eight unopposed Resolutions of Necessity.

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

**A motion was made by Mr. Davis and seconded by Ms. Osborn to adopt the eight unopposed Resolutions of Necessity. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Davis, and Ms. Osborn all voting aye).**

Mr. Carroll presented the opposed Resolution of Necessity for the de Jong property in Kings County and listed the four objections.

Mr. Carroll stated that the Resolution of Necessity, the objections, and the High Speed Rail Authority's response had been reviewed and was counsel's opinion that High Speed Rail Authority's written response adequately addressed all four objections by counsel for the property owner to support adopting the noticed Resolution of Necessity, and there was prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 were present for the de Jong property and if the Board agrees and determines these 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 for the de Jong property in Kings County.

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

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

**OTHER BUSINESS:**

NONE

**GENERAL PUBLIC COMMENT:**

NONE

**REPORTABLES:**

Ms. Lukenbill presented the reportable items for the period of January 5, 2021 through February 1, 2021 and said that she would be happy to answer any questions from the Board.

**NEXT MEETING:**

Ms. Miller stated that the next Board meeting was scheduled for Friday, March 12, 2021, 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.