



STAFF ANALYSIS

STATE PUBLIC WORKS BOARD

Friday, January 14, 2022 at 10:00 a.m.

This meeting will take place virtually and can be accessed through the following link or phone numbers*:

<https://us06web.zoom.us/j/89110751385?pwd=aklZWXM0cWgwbnZTSDBHMTU4UW83dz09>

Meeting ID: 891 1075 1385

Passcode: G%Sp%7b!

Or

Phone: (669) 219 2599**

(669) 900 9128**

(213) 338 8477**

Meeting ID: 891 1075 1385

Passcode: 82873447

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*Pursuant to Government Code Section 11133, the Board meeting will take place virtually. Members of the Board will participate in this meeting remotely via telephonic or video conference. The meeting may be observed through the Zoom link and telephone number identified above. If using the Zoom platform, please install the Zoom application and enter the virtual conference room prior to the 10:00 a.m. meeting start time. Members of the public may participate through telephone, the Zoom platform, or by submitting public comment in advance. If members of the public wish to submit comments in advance, the Board asks members of the public to provide written comments to Kat.Lee@dof.ca.gov prior to the meeting. To the extent possible, all written comments will be distributed to the members of the Board prior to the meeting.

** This phone number IS NOT a toll free number.

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the State Public Works Board website. [Please click here to view.](#) The full Board member briefing package is available upon request. Please send an email to Kat.Lee@dof.ca.gov.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Kat Lee at (916) 445-9694 or e-mail to Kat.lee@dof.ca.gov, five days prior to the meeting.

BOND ITEMS

NONE

MINUTES

Consider approving the minutes from the December 10, 2021 meeting.

Staff have reviewed the minutes from the December 10, 2021 meeting and recommend approval.

Staff Recommendation: Approve minutes from the December 10, 2021 meeting.

CONSENT ITEMS

CONSENT ITEM—1

**CALIFORNIA COMMUNITY COLLEGES (6870)
NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT, FULLERTON COLLEGE:
MUSIC/DRAMA COMPLEX – BULDINGS 1100 AND 1300 REPLACEMENT
ORANGE COUNTY**

Authority: 2020 Budget Act, 6870-301-6087 (47) as reappropriated by the 2021 Budget Act

Consider approving preliminary plans

STAFF ANALYSIS ITEM—1

California Community Colleges
North Orange County Community College District
Fullerton College
Music/Drama Complex – Buildings 1100 and 1300 Replacement
Orange County

Action Requested

If approved, the requested action will approve preliminary plans.

Scope Description

This project is within scope. This project includes the construction of a new music and drama facility, consisting of 46,264 assignable square feet, to support the College's Fine Arts programs. Upon completion of the new complex, the existing Music Building G and the Theater Arts Building H, located on the adjacent site, will be demolished.

Funding and Project Cost Verification

This project is within cost. The total estimated cost of the project is \$102,447,000 (\$43,787,000 GO Bond and \$58,660,000 local) compared to \$53,053,000 (\$41,549,000 GO Bond and \$11,504,000 local) at the time of the 2020 Budget Act, representing an increase of \$49,394,000 (93.1 percent). The \$49,394,000 total reflects an Increase to both state and local funds. Drivers for the cost increase include (1) a likely underestimate of project costs in the original proposal, and (2) increase project costs associated with (a) COVID-19 related shortages in the supply of construction materials nationally and (b) supply chain constraints, including a lack of raw materials, parts, and finished goods. The increase in state costs, 5.4 percent, is consistent with that of the updated California Construction Cost Index net of adjusted escalation, whereas remaining incremental project costs are to be borne by the district.

The state share of preliminary plans and working drawings were appropriated in the 2020 Budget Act, with working drawings reappropriated in the 2021 Budget Act and the state share of the construction phase is proposed in the 2022 Governor's Budget.

On December 24, 2021, the Department of Finance notified the chairs of the Joint Legislative Budget Committee and fiscal committees in each house of its intent to recommend the Board approve preliminary plans with an anticipated deficit no sooner than 20 days from that date.

\$6,145,000	Total authorized project costs
\$102,447,000	Total estimated project costs
\$1,658,000	State costs previously allocated: preliminary plans
\$1,104,000	Local costs previously allocated: preliminary plans
\$42,129,000	State costs to be allocated: \$1,637,000 for working drawings and \$40,492,000 for construction
\$57,556,000	Local costs to be allocated: \$1,746,000 for working drawings, \$54,153,000 for construction, and \$1,657,000 for equipment

CEQA

The district filed a Notice of Determination for its master plan with the State Clearinghouse on December 19, 2017, and the 30-day statute of limitations expired without challenge. The master plan includes this project.

Real Estate Due Diligence

Community college districts have full responsibility for clearing due diligence issues for general obligation bond projects.

Project Schedule

Approve preliminary plans	January 2022
Complete working drawings	February 2023
Start construction	May 2023
Complete construction	May 2025

Staff Recommendation: **Approve preliminary plans.**

CONSENT ITEM—2

DEPARTMENT OF FRANCHISE TAX BOARD (7730)
DATA CENTER UPGRADES
SACRAMENTO COUNTY

Authority: 2021 Budget Act, 7730-301-0001(1)

Consider approving preliminary plans.

STAFF ANALYSIS ITEM—2

Department of Franchise Tax Board
Data Center Upgrades
Sacramento County

Action Requested

If approved, the requested action will approve preliminary plans.

Scope Description

This project is within scope. This project includes the upgrade of the existing data center within the Los Angeles building to help FTB meet state energy efficiency requirements for data centers. This project will include the upgrade of the HVAC system and controls, upgrade the entire electrical infrastructure, fire protection upgrades, telecommunication upgrades and mechanical system upgrades.

Funding and Cost Verification

This project is within budget. The 2021 Budget Act provides \$680,000 for the preliminary plans phase of the project and \$937,000 for the working drawings phase of the project. This provides a total of \$1,617,000 in authorized funding.

\$1,617,000 Total authorized project costs

\$20,322,000 Total estimated project costs

\$1,617,000 Project costs previously allocated: \$680,000 for preliminary plans, and \$937,000 for working drawings.

\$18,705,000 Project costs to be allocated: \$18,705,000 for construction (\$15,834,000 contract, \$1,109,000 contingency, \$865,000 A&E, and \$897,000 other project costs.)

CEQA

FTB filed a Notice of Exemption with the State Clearinghouse on July 19, 2021, and the 35-day statute of limitations expired without challenge.

Due Diligence

DGS is currently working on a draft Summary of Conditions Letter, with the Final Summary of Conditions Letter to follow shortly thereafter. DGS has indicated that this property has

The requested scope change will support the addition to the scope of activities by the Department of General Services (DGS) to assist CMD by providing DGS project management assistance, a thorough review of working drawings, and a Division of State Architect (DSA) Field Act review. DGS will also assist CMD with the Office of State Fire Marshal (OSFM) review.

It has been determined that the assistance of DGS and the Field Act review are necessary additions to the scope of this project, which also result in the need to augment the project.

On December 24, 2021, the Department of Finance notified the chairs of the Joint Legislative Budget Committee and fiscal committees in each house, of its intent to recommend the Board approve the change in scope no sooner than 20 days from that date

Funding and Cost Verification

This project is not within cost. Total estimated project costs are \$1,850,000 General Fund (\$68,000 for preliminary plans, \$102,000 for working drawings, and \$1,680,000 for construction).

The California Military Department (CMD) requests an augmentation of \$265,500 (14.4 percent of the project total) for completion of the working drawings for the project, which now requires DGS review, DSA Field Act review and OSFM review. With the requested augmentation, the CMD will pay DGS review/support costs, and additional design development costs associated with plan and specification preparation for review by DSA for the Field Act and review by the OSFM.

\$1,850,000 Total authorized project costs

\$2,115,000 Total estimated project costs

\$1,850,000 Project cost previously allocated: \$68,000 for preliminary plans, \$102,000 for working drawings, and \$1,680,000 for construction.

\$265,000 Augmentation to be allocated: \$50,000 for working drawings and \$215,000 for DGS support activities

On December 24, 2021, the Department of Finance notified the chairs of the Joint Legislative Budget Committee and fiscal committees in each house, of its intent to recommend the Board recognize the scope change and approve the augmentation no sooner than 20 days from that date.

CEQA

CMD filed a Notice of Exemption with the State Clearinghouse on March 5, 2019, and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

A Summary of Conditions Letter was completed for this project on July 2, 2019, and no issues that would adversely affect the quiet enjoyment and beneficial use of the project were identified.

Project Schedule

Approved Preliminary Plans	November 2019
Completed Working Drawings	December 2021
Started Construction	July 2022
Complete Construction	July 2023

Staff Recommendation: Approve augmentation

ACTION ITEMS

ACTION ITEM—1

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 FRESNO COUNTY

*Authority: 2012 Budget Act, 2665-306-0890 (1), as reappropriated by the 2018 and 2021 Budget Acts
2012 Budget Act, 2665-306-6043 (1), as reappropriated by the 2018 Budget Act
2014 Budget Act, 2665-306-3228 (1),
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of an amended Resolution of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following property or interests in property for the High Speed Train System:

Kular Property (Fresno County)

Assessor Parcel Number: 385-270-22S

**Authority Parcel Numbers: FB-10-1487-1, FB-10-1487-2, FB-10-1487-3, and
FB-10-1487-4**

Resolution of Necessity Number: 2020-0047

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Fresno County

Action Requested

If approved, adopt an amended Resolution of Necessity (RON) authorizing the use of eminent domain by the High Speed Rail Authority (Authority) to acquire property or interests in property for the High Speed Train System (HSTS).

On August 14, 2020, the Board adopted Resolution of Necessity 2020-0047, authorizing the use of eminent domain to acquire the Kular Property in Fresno County. Resolution of Necessity 2020-0047 is being amended due to a revised RON legal description for the use of easement FB-10-1487-1.

On December 29, 2021 a Notice of Intent to adopt an amended RON was mailed to the property owner. This notice was sent in accordance with Code of Civil Procedure section 1245.235.

Staff Recommendation:

Adopt an amended RON authorizing the use of eminent domain by the Authority to acquire the above-described property or interests in property for the HSTS.

ACTION ITEM—2

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 VARIOUS COUNTIES

*Authority: 2012 Budget Act, 2665-306-0890 (1), as reappropriated by the 2018 and 2021 Budget Acts
2012 Budget Act, 2665-306-6043 (1), as reappropriated by the 2018 Budget Act
2014 Budget Act, 2665-306-3228 (1),
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following properties for the High Speed Train System:

- 1. BT-OH Property (Fresno County)
Authority Parcel Number: FB-10-1714-1
Assessor Parcel Number: 449-020-48S**
- 2. Calaveras Materials Property (Fresno County)
Authority Parcel Number: FB-10-1762-1
Assessor Parcel Number: 458-240-48**
- 3. Carter Property (Fresno County)
Authority Parcel Numbers: FB-10-1344-6 and FB-10-1344-7
Assessor Parcel Number: 056-030-55S**
- 4. Carter Property (Fresno County)
Authority Parcel Numbers: FB-10-1380-5, FB-10-1380-6, and FB-10-1380-7
Assessor Parcel Number: 056-030-55S**
- 5. Center Point Property (Madera County)
Authority Parcel Number: MF-20-1448-1
Assessor Parcel Number: 047-240-003**
- 6. CorcPork Property (Tulare County)
Authority Parcel Number: FB-54-0363-2
Assessor Parcel Number: 291-080-012**
- 7. Double S Property (Fresno County)
Authority Parcel Number: MF-10-1087-1
Assessor Parcel Number: 504-070-64**
- 8. Enochian Property (Fresno County)
Authority Parcel Number: FB-10-1226-1
Assessor Parcel Number: None Assigned**

9. **PFFJ Property (Tulare County)**
Authority Parcel Numbers: FB-54-0388-1, FB-54-0359-1, and FB-54-0359-3
Assessor Parcel Numbers: 291-060-017 and 291-060-025

10. **Producers Ice Cream Property (Fresno County)**
Authority Parcel Numbers: FB-10-1717-1 and FB-10-1717-2
Assessor Parcel Number: 458-240-42

11. **Security Land and Loan Property (Kings County)**
Authority Parcel Numbers: FB-16-1025-1 and FB-16-1025-2
Assessor Parcel Number: None Assigned

12. **Security Land and Loan Property (Kings County)**
Authority Parcel Number: FB-16-1068-1
Assessor Parcel Number: None Assigned

13. **Security Land and Loan Property (Kings County)**
Authority Parcel Number: FB-16-1078-1
Assessor Parcel Number: None Assigned

14. **Wasco Real Properties II Property (Kern County)**
Authority Parcel Number: FB-15-0308-4
Assessor Parcel Number: 072-120-04

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

Adopt Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire properties for the High Speed Train System.

Background

Under California Eminent Domain Law, the Board is the governing body of the High Speed Rail Authority (Authority) for purposes of adopting Resolutions of Necessity that are required for the Authority to initiate eminent domain proceedings. To adopt a Resolution of Necessity the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record or the offer has not been made because the owner cannot be located with reasonable diligence.

The properties 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 (HSTS).

The Authority notified the Board's staff that for Properties 1-7, 9, 10, and 14, between October 2020 and October 2021, the respective property owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. The Authority has 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 is required at this time. For Properties 8 and 11-13, a formal offer to purchase the Property was not mailed due to inability to locate the owner of record or any descendants.

On December 29, 2021, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the owners of Properties 1-7, 9, 10, and 14. The Notice of Intent for Property 8 and 11-13 was posted at the respective property boundaries. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. BT-OH Property (Fresno County)

Authority Parcel Number: FB-10-1714-1

Assessor Parcel Number: 449-020-48S

Partial Acquisition: Approximately 0.45 acre in easement

The property interests identified by the Authority Parcel Number is needed for the renewal of a temporary construction easement for construction of retaining walls along McKinley Avenue between Highway 99 and High Speed Rail (HSR) corridor.

2. Calaveras Materials Property (Fresno County)

Authority Parcel Number: FB-10-1762-1

Assessor Parcel Number: 458-240-48

Partial Acquisition: Approximately 0.13 acre in easement

The property interest identified by the Authority Parcel Number is needed for the renewal of a temporary construction easement for construction along the HSR corridor just south of North Thorne Avenue.

3. Carter Property (Fresno County)

Authority Parcel Numbers: FB-10-1344-6 and FB-10-1344-7

Assessor Parcel Number: 056-030-55S

Partial Acquisition: Approximately 0.06 acre in easement

The property interest identified by the Authority Parcel Numbers are needed for PG&E and AT&T easements along the HSR corridor near the East Davis Avenue grade separation.

4. Carter Property (Fresno County)

Authority Parcel Numbers: FB-10-1380-5, FB-10-1380-6, and FB-10-1380-7

Assessor Parcel Number: 056-030-55S

Partial Acquisition: Approximately 0.07 acre in easement

The property interest identified by the Authority Parcel Numbers are needed for PG&E and AT&T easements along the HSR corridor near the East Davis Avenue grade separation.

5. Center Point Property (Madera County)

Authority Parcel Number: MF-20-1448-1

Assessor Parcel Number: 047-240-003

Partial Acquisition: Approximately 0.08 acre in easement

The property interest identified by the Authority Parcel Number is needed for a PG&E easement along the HSR corridor near Avenue 10.

6. CorcPork Property (Tulare County)

Authority Parcel Number: FB-54-0363-2

Assessor Parcel Number: 291-080-012

Partial Acquisition: Approximately 0.02 acre in easement

The property interest identified by the Authority Parcel Number is needed for a PG&E easement along the HSR corridor at Avenue 112.

7. Double S Property (Fresno County)

Authority Parcel Number: MF-10-1087-1

Assessor Parcel Number: 504-070-64

Partial Acquisition: Approximately 0.03 acre in easement

The property interests identified by the Authority Parcel Number is needed for the renewal of a temporary construction easement along North Golden State Blvd by Elgin Avenue.

8. Enochian Property (Fresno County)

Authority Parcel Number: FB-10-1226-1

Assessor Parcel Number: None Assigned

Full Acquisition: Approximately 0.33 acre in fee

The property interest identified by the Authority Parcel Number is needed for the construction of the HSR corridor along North Golden State Boulevard just north of West McKinley Avenue.

9. PFFJ Property (Tulare County)

Authority Parcel Numbers: FB-54-0388-1, FB-54-0359-1, and FB-54-0359-3

Assessor Parcel Numbers: 291-060-017 and 291-060-025

Partial Acquisition: Approximately 3.45 acres (2.38 acres in fee, 1.07 acres in easement)

The property interests identified by the Authority Parcel Numbers are needed for the construction of the Avenue 120 grade separation.

10. Producers Ice Cream Property (Fresno County)

Authority Parcel Numbers: FB-10-1717-1 and FB-10-1717-2

Assessor Parcel Number: 458-240-42

Partial Acquisition: Approximately 0.15 acre in easement

The property interest identified by the Authority Parcel Number is needed for the renewal of temporary construction easements along the HSR corridor north of Highway 180.

11. Security Land and Loan Property (Kings County)

Authority Parcel Numbers: FB-16-1025-1 and FB-16-1025-2

Assessor Parcel Number: None Assigned

Partial Acquisition: Approximately 0.74 acre (<0.01 acre in fee, 0.73 acre in easement)

The property interests identified by the Authority Parcel Numbers are needed for access and utility easement purposes at Orange Avenue and for the HSR corridor north of Waukena Avenue.

12. Security Land and Loan Property (Kings County)

Authority Parcel Number: FB-16-1068-1

Assessor Parcel Number: None Assigned

Partial Acquisition: Approximately 0.02 acre in easement

The property interest identified by the Authority Parcel Number is needed for a PG&E easement along Orange Avenue at the Sweet Canal.

13. Security Land and Loan Property (Kings County)

Authority Parcel Number: FB-16-1078-1

Assessor Parcel Number: None Assigned

Partial Acquisition: Approximately 0.02 acre in easement

The property interest identified by the Authority Parcel Number is needed for a PG&E easement along the Sweet Canal just north of Niles Avenue.

14. Wasco Real Properties II Property (Kern County)

Authority Parcel Number: FB-15-0308-4

Assessor Parcel Number: 072-120-04

Partial Acquisition: Approximately 0.62 acre in easement

The property interest identified by the Authority Parcel Number is needed for a PG&E easement along the BNSF rail corridor just north of Kimberlina Avenue.

Staff Recommendation:

Adopt Resolutions of Necessity authorizing the use of eminent domain by the Authority to acquire properties for the HSTS.

OTHER BUSINESS

NONE

GENERAL PUBLIC COMMENT

REPORTABLES

Reportable Items

For the January 14, 2022 Board Meeting

Actions Authorized by Staff from November 30, 2021 through January 3, 2022

As Authorized by Resolution of the Board dated December 13, 2019

<u>Department/Org Code</u>	<u>Project Title</u>	<u>Project Authority</u>	<u>Action</u>	<u>Amount/(Percent)</u>
Judicial Council of California (0250)	New Sonora Courthouse, Tuolumne County	Sections 70371.5 and 70371.7 of the Government Code; 2011 Budget Act, 0250-301-3138 (18); 2014 Budget Act, 0250-301-3138 (13); 2015 Budget Act, 0250-301-3138 (6); 2016 Budget Act, 0250-301-0668 (4); 2018 Budget Act, 0250-301-0660 (5)	Approve an augmentation	\$1,714,000 (2.6 percent of total project appropriations) (8.9 percent cumulative)
Board of State and Community Corrections (5227)	Adult Local Criminal Justice Facilities Project, Placer County	Government Code sections 15820.94 - 15820.948 (SB 844)	Recognize revised project costs	\$33,333,000 total authorized project costs
Board of State and Community Corrections (5227)	Adult Local Criminal Justice Facilities Project, Plumas County	Sections 15820.94 - 15820.948 (SB844) of the Government Code	Recognize revised project costs	\$25,530,000 total authorized project costs
California Military Department (8940)	Sustainable Armory Renovation Program: Eureka, Humboldt County	2016 Budget Act, 8940-301-0001 (3) and 8940-301-0890 (1) as reappropriated by the 2017 Budget Act	Approve an augmentation	\$200,000 (3.5 percent of total project appropriations) (3.5 percent cumulative)