



STATE PUBLIC WORKS BOARD  
July 15, 2022

**APPROVED MINUTES**

**PRESENT:**

Ms. Keely Bosler, Director, Department of Finance  
Ms. Jennifer Osborn, Chief Deputy Director, Department of General Services  
Mr. Blake Fowler, Director of Public Finance, State Treasurer  
Mr. David Oppenheim, Deputy Controller, State Controller

**CALL TO ORDER AND ROLL CALL:**

Ms. Keely Bosler, Chairperson of the Board, called the meeting to order at 10:02 am  
Ms. Kat Lee, Secretary of the Board, called the roll. A quorum was established.

**BOND ITEMS:**

The first order of business was to consider 3 bond items.

- Bond Item 1: 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, and other related actions for the construction of the Adult Local Criminal Justice Facilities project in Placer County, for the Board of State and Community Corrections.

Raghda Nassar, Deputy Director of the Board, noted that the project would design and construct a new, stand-alone one-story jail facility with a mezzanine, adjacent to the existing South Placer Jail, on county-owned land in the city of Roseville. The new jail would also include two new housing units, space for programing, classrooms, vocational shops, administrative and staff support, medical and mental health space, and would be attached to the existing jail via a secure enclosed corridor. The building would also include space for in-person and video visitation, public lobby, office space, laundry facilities, and medical and mental health space.

Ms. Nassar stated that the outstanding issue noted in the Real Estate Due Diligence portion of the Staff Analysis had been resolved.

Staff recommended adoption of the resolution.

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

**A motion was made by Mr. Oppenheim and seconded by Ms. Osborn to adopt the resolution. The motion passed unanimously through a 4-0 roll-call vote (Ms. Bosler, Ms. Osborn, Mr. Oppenheim, and Mr. Fowler all voting aye).**

- Bond Item 2: 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 Placer County, for the Board of State and Community Corrections.

Ms. Nassar explained that the project would design and construct a new stand-alone mental health facility on county-owned land, adjacent to the existing county jail in the City of Roseville. The new building would provide housing, programming, and treatment space. The building will include approximately 45 beds, recreation yards, a central officer station, multi-purpose space, counseling and interview space, exam room and dayroom space.

Ms. Nassar noted that the outstanding issue noted in the Real Estate Due Diligence portion of the Staff Analysis had been resolved.

Staff recommended adoption of the resolution.

Ms. Bosler asked if there were any questions or comments from the Board, or from the public for Bond Item 2. There were none.

**A motion was made by Mr. Fowler and seconded by Ms. Osborn to adopt the resolution. The motion passed unanimously through a 4-0 roll-call vote (Ms. Bosler, Ms. Osborn, Mr. Oppenheim, and Mr. Fowler all voting aye).**

- Bond Item 3: If approved, Bond Item 3 would adopt an amended resolution updating the reference to the law authorizing the bond financing of the project, 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 Sacramento Region: Resources Building Renovation project in Sacramento County, for the Department of General Services.

Ms. Nassar noted that the comprehensive renovation of the existing Resources Building included the correction of building-wide fire and life safety deficiencies, renovation or replacement of all major building systems, hazardous materials abatement, replacing the roof and windows, replacing elevators and related equipment, and corrections to ADA deficiencies. The project would target Zero Net Energy and a minimum of LEED Silver.

Staff recommended adoption of the resolution.

Ms. Bosler asked if there were any questions or comments from the Board, or from the public for Bond Item 3. There were none.

**A motion was made by Ms. Osborn and seconded by Mr. Oppenheim to adopt the resolution. The motion passed unanimously through a 4-0 roll-call vote (Ms. Bosler, Ms. Osborn, Mr. Oppenheim, and Mr. Fowler all voting aye).**

Ms. Bosler thanked and excused Mr. Fowler and Mr. Oppenheim.

## **MINUTES:**

The next order of business was to approve the minutes from the June 10, 2022 Board meeting.

Ms. Nassar stated that staff had prepared and reviewed the minutes from the June 10, 2022 Board meeting and recommended approval of the meeting minutes.

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

**A motion was made by Ms. Osborn and seconded by Ms. Bosler to approve the meeting minutes. The motion passed unanimously through a 2-0 roll-call vote (Ms. Bosler and Ms. Osborn both voting aye).**

## **CONSENT ITEMS:**

The next order of business was to consider Consent Calendar, which consisted of four items. All items were presented by Ms. Nassar.

- Consent Item 1: If approved, the request would approve an augmentation of \$5.9 million Public Buildings Construction Fund for the New Redding Courthouse in Shasta County for the Judicial Council of California.
- Consent Item 2: If approved, the request would recognize a scope change and approve a reversion for the Salinas Valley State Prison—Medication Distribution Improvements Phase II project in Monterey County for the Department of Corrections and Rehabilitation.
- Consent Item 3: If approved, the request would approve the Guaranteed Maximum Price and authorize proceeding with the Design-Build phase of the Sacramento Region: Resources Building Renovation in Sacramento County for the Department of General Services.
- Consent Item 4: If approved, the request would approve an augmentation of \$460,000 General Fund for the San Diego Readiness Center Renovation in San Diego County for the California Military Department.

Ms. Nassar noted that that Consent Items 1, 2, and 4 required 20-day notices to the Joint Legislative Budget Committees and the fiscal committees in each house. The notices were sent on June 27, 2022, and the 20-day review period had not yet expired. As a result, the requested actions for Consent Items 1, 2, and 4 were contingent upon expiration of the 20-day legislative notification period.

Ms. Nassar stated that the 20-day notice for Consent Item 4 listed the augmentation percentages as 3.3 percent of total project appropriations instead of 3.6 percent and 11.1 percent instead of 12.0 percent cumulative.

Staff recommended approval of Consent Item 3, and approval of Consent Items 1, 2, and 4, contingent upon expiration of the 20-day legislative notification period without adverse comment.

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

**A motion was made by Ms. Osborn and seconded by Ms. Bosler to approve Consent Item 3, and Consent Items 1, 2, and 4, contingent upon expiration of the 20-day legislative notification period without adverse comment. The motion passed unanimously through a 2-0 roll-call vote (Ms. Bosler and Ms. Osborn both voting aye).**

**ACTION ITEMS:**

The next order of business was to consider two action items. Both items were presented by Ms. Nassar.

- Action item 1: If approved, the action would adopt four amended Resolutions of Necessity (RON) authorizing the use of eminent domain to acquire properties or interests in properties for the High Speed Rail Authority.

On May 17, 2021, the Board adopted Resolutions of Necessity 2021-0002 and 2021-0003 for the Curran Properties, authorizing the use of eminent domain to acquire the Curran properties or interests in the Curran properties in Madera County.

On July 13, 2020, the Board adopted Resolution of Necessity 2020-0065 authorizing the use of eminent domain to acquire the Irigoyen Farms property or interests in the Irigoyen Farms property in Fresno County. Subsequent to adoption of the three RONs, the legal description of the properties was revised to reflect an updated PG&E easement, precipitating the need for amended RONs.

On June 12, 2017, the Board adopted Resolution of Necessity 2015-0206, authorizing the use of eminent domain to acquire the Irigoyen Farms property or interests in the Irigoyen Farms property in Fresno County. Subsequent to adoption, the legal description was revised to correct a directional error on parcel FB 10-0443-1, precipitating the need for an amended RON.

On June 28, 2022 and June 30, 2022, Notices of Intent to adopt Amended Resolutions of Necessity were mailed by Board staff to the owners of the abovementioned properties. The notices were sent in accordance with Code of Civil Procedure section 1245.235.

Staff recommended adoption of the four amended Resolutions of Necessity authorizing the use of eminent domain to acquire the above properties or interests in properties for High Speed Rail.

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

**A motion was made by Ms. Osborn and seconded by Ms. Bosler to adopt staff recommendation. The motion passed unanimously through a 2-0 roll-call vote (Ms. Bosler and Ms. Osborn both voting aye).**

- Action Item 2: If approved, the action would adopt seven Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail

Authority, to acquire properties or interests in properties for the High Speed Train System.

The Authority notified the Board's staff that for Properties 1 through 3 and Property 7, between October 2021 and March 2022, 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 properties 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 the time.

For Properties 4 through 6, a formal offer to purchase the properties was not mailed due to the inability to locate the owners of record or confirm the identity of any appropriate heirs, descendants, or devisees.

On June 28, 2022, Notices of Intent to adopt Resolutions of Necessity were mailed by Board staff to the owners of Properties 1 through 3 and Property 7. The Notices of Intent for Properties 4 through 6 were posted at the respective property boundaries. The notices were sent in accordance with Code of Civil Procedure section 1245.235.

Ms. Nassar noted that the member's briefing packages contained the Resolutions of Necessity and surveyor maps for each of the properties, an objection letter from representatives of property #1, the Gabrielian property in Fresno County, as well as High Speed Rail's response to this objection.

Board counsel had reviewed the objections raised in the letter, and based on that review, staff was comfortable recommending that the Board move forward with the adoption of the Resolution of Necessity for this property. However, staff recommended the Board consider the Gabrielian property separately from the six Resolutions of Necessity which did not receive objections. As a result, the 6 unopposed Resolutions of Necessity (Properties 2 through 7) were to be presented first, with a separate vote.

Jesus Corral, serving as counsel to the Board on Eminent Domain items, presented the 6 unopposed Resolutions of Necessity.

Mr. Corral stated that the six unopposed Resolutions of Necessity before the Board had been reviewed to ensure there is prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 are present.

Mr. Corral explained that it was counsel's opinion that for the six unopposed Resolutions of Necessity, prima facie evidence for the factors was present such that the Board may adopt the Resolutions of Necessity. If the Board agreed and determined the factors were present, the Board may move to adopt the Resolutions of Necessity.

Staff recommended the adoption of 6 unopposed Resolutions of Necessity (Properties 2 through 7) authorizing the use of eminent domain to acquire properties or interests in properties for High Speed Rail.

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

**A motion was made by Ms. Osborn and seconded by Ms. Bosler to adopt staff recommendation. The motion passed unanimously through a 2-0 roll-call vote (Ms. Bosler and Ms. Osborn both voting aye).**

Mr. Corral presented the opposed Resolution of Necessity.

The opposed Resolution of Necessity was for property #1, the Gabrielian property in Fresno County. In a letter sent to the Board, counsel for the property owner objected to the acquisition.

In addition to the objections, the property owner's counsel sought a 60-day continuance due to illness of a key person.

Mr. Corral explained that the Resolution of Necessity, owner's objections, the request for a continuance, and the High Speed Rail Authority's response had been reviewed, and it was counsel's opinion that High Speed Rail Authority's written response adequately addressed all objections and requests made on behalf of the property owner. In addition, prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 were present and that if the Board agreed and determined 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 Gabrielian property in Fresno County.

Ms. Bosler asked if there were any questions from the Board, the public, the property owners, or property owner's counsel. There were none.

**A motion was made by Ms. Osborn and seconded by Ms. Bosler to adopt staff recommendation. The motion passed unanimously through a 2-0 roll-call vote (Ms. Bosler and Ms. Osborn both voting aye).**

**REPORTABLES:**

Ms. Nassar presented the reportable items for the period May 28, 2022 through July 1, 2022 and stated that the reportable items were included in the staff analysis and in the member's briefing packets.

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

**NEXT MEETING:**

Ms. Bosler stated that the next Board meeting was scheduled for Friday, August 12, 2022 at 10am, and the location of the meeting would be posted on the Board's website.

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

The meeting was concluded.