



# STATE PUBLIC WORKS BOARD

Gavin Newsom ■ Governor

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## STATE PUBLIC WORKS BOARD

January 12, 2024

FINAL MINUTES

### **MEMBERS PRESENT:**

Gayle Miller, Chief Deputy Director, for the Department of Finance  
Jennifer Osborn, Chief Deputy Director, for the Department of General Services  
Tony Tavares, Director, Department of Transportation  
Bryan Cash, Assistant Secretary, Natural Resources Agency

### **MEMBERS ABSENT:**

None

### **CALL TO ORDER AND ROLL CALL:**

Gayle Miller, Chairperson of the State Public Works Board (Board), called the meeting to order at 10:10 am. Raghda Nassar, Deputy Director of the Board, called the roll. A quorum was established.

### **BOND ITEMS:**

None

### **MINUTES:**

The first order of business was to approve the minutes from the December 8, 2023, Board meeting.

Sally Lukenbill, Executive Director of the Board, stated Staff has prepared and reviewed the minutes from the December 8, 2023, Board meeting and recommended approval of those meeting minutes.

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

**A motion was made by Ms. Osborn and seconded by Mr. Tavares to approve the minutes. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Ms. Osborn, and Mr. Tavares all voting aye).**

Ms. Lukenbill stated that the next order of business before the Board was to consider two Consent Items, for projects within the Natural Resources Agency, and Mr. Cash joined as a voting member.

- Consent Item 1: The requested action would authorize an acquisition of real property and the execution of such documents as may be required to complete the acquisition for the Statewide: State Parks System Acquisition Program – Weger Ranch 80-acre Property at Montgomery Woods State Natural Reserve in Mendocino County, for the Department of Parks and Recreation.

Ms. Lukenbill indicated that this item would authorize acquisition of 80 acres located in the unincorporated area of Mendocino County, from Save the Redwoods League, in exchange for no cash consideration. The acquisition would allow for the expansion of Montgomery Woods State Natural Reserve. The acquisition would provide an opportunity for Parks to expand and would also improve wildlife corridors, providing unimpeded migration and movement potential in the habitat area for endangered or threatened species, as well as improved uses of park trails and other facilities and ease of maintenance of the park with contiguous land.

- Consent Item 2: The requested action would authorize an acquisition of real property and the execution of a Property Acquisition Agreement (PAA), and any such documents as may be required to complete the acquisition for the Upper Truckee River Restoration Acquisition — Knox Johnson-Motel 6 project in El Dorado County for the California Tahoe Conservancy (Conservancy).

Ms. Lukenbill noted that this item was heard at the December 8, 2023, Board meeting; however, subsequent to that meeting, the court-appointed referee requested substantive changes to the PAA, requiring this item to be presented to the Board for approval once again.

The request is part of the Conservancy's opportunity acquisitions program. This property consists of two adjacent parcels of land totaling approximately 31 acres. The property has been made available for purchase through a court administered process and ultimate approval of the sale of the property is subject to court approval. The acquisition cost of both parcels is \$15.4 million. In the event the court approves the sale of only a portion of the property there would be a corresponding reduction in the purchase price. Both parcels are in or adjacent to the Upper Truckee River, an area ideal for rehabilitation, conservation, and wildlife protection. The Conservancy is currently rehabilitating the delta of the Upper Truckee River as part of the Upper Truckee Marsh project and acquiring the property would serve as a well-suited complement to these efforts.

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. Tavares. The motion passed unanimously through a 4-0 roll-call vote (Ms. Miller, Ms. Osborn, Mr. Tavares, and Mr. Cash all voting aye).**

Ms. Miller thanked and excused Mr. Cash.

## **ACTION ITEMS:**

The next order of business before the Board was to consider one Action item.

Action Item 1: If approved, this action would adopt two Resolutions of Necessity authorizing the use of eminent domain by the High-Speed Rail Authority, to acquire the following properties or interests in properties for the High-Speed Train System:

- Fris-Hansen Property in Fresno County – 0.09 acre in fee. The property is needed for construction of the HSR corridor along North Golden State Blvd near Elgin Avenue.
- Santa Monica Mountain Park Company Property in Madera County - 0.34 acre in fee. This property is needed for construction of the Avenue 12 grade separation at Santa Fe Drive.

Ms. Lukenbill stated that the Authority notified the Board's staff that In November 2023, the property owner for the Fris-Hansen property was provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. For the Santa Monica Mountain Park Company property, a formal offer to purchase the Property was not mailed due to the inability to locate the owner of record or confirm the identity or any appropriate heirs, descendants, or devisees.

On December 22, 2023, a Notice of Intent to adopt a Resolution of Necessity was mailed by Board staff to the Fris-Hansen property owner. The Notice of Intent for the Santa Monica Mountain Park Company property was posted at the property boundary. These notices were sent in accordance with the Code of Civil Procedure section 1245.235.

Robert Vaghini, serving as counsel to the Board on Eminent Domain items, presented the two Resolutions of Necessity and indicated that they had been reviewed to ensure there is prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 were present.

Mr. Vaghini stated that it was counsel's opinion that prima facie evidence for these factors were present such that the Board may adopt the Resolutions of Necessity, and if the Board agreed and determined these factors were present, the Board may move to adopt the Resolutions of Necessity.

Staff recommended adoption of the Resolutions of Necessity authorizing the use of eminent domain by the High-Speed Rail Authority to acquire the property or interests in property for the High-Speed Train System.

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. Tavares and seconded by Ms. Osborn. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Tavares, and Ms. Osborn all voting aye).**

**OTHER BUSINESS:**

Ms. Miller noted that there was no other business.

**GENERAL PUBLIC COMMENT:**

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

**REPORTABLES:**

Ms. Miller stated that Staff would now present the Reportables for the period of November 22, 2023, through December 29, 2023.

Ms. Lukenbill stated that the reportable items were included in the staff analysis and in the briefing packet.

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

**NEXT MEETING:**

Ms. Miller stated that the next Board meeting was scheduled for Friday, February 9, 2024. The location of the meeting 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 at 10:20 am.