



FACILITY PLANNERS MEETING UPDATE
APRIL 2016

UPCOMING EVENTS

**C.A.S.H. Maintenance
Network Workshops**

4/12, Los Angeles COE
4/13, Clovis USD

**C.A.S.H. Monthly
Workshops**

Project Delivery – Lease-
Leaseback and
Alternatives
4/26, Sacramento
4/29, Ontario

**C.A.S.H. Happy
Hour/Networking Mixers**

4/21, Bakersfield
5/12, Temecula

**C.A.S.H. Spring
Symposiums**

Creating the Educational
Infrastructure that
Accelerates Learning
5/16-5/17, TBD, Northern
California
5/19-5/20, Poway

Visit the C.A.S.H. website
to register for these events.

www.cashnet.org

UPDATE

Kindergarten through Community College Public Education Facilities Bond Act of 2016

In response to the lack of state funding for school facilities, C.A.S.H. has qualified a State School Bond for the November 2016 Statewide General Election ballot.

The 2016 State School Bond, which would provide \$9 billion for New Construction (\$3 billion) and Modernization (\$3 billion) projects, as well as Career Technical Education (\$500 million), Charter Schools (\$500 million), and Community Colleges (\$2 billion) and which would continue the successful School Facility Program, **will be on the November 8, 2016 ballot.**

Thank you to all of the school districts and county offices of education that have passed school board resolutions supporting the 2016 State School Bond. More than 114 resolutions have been received, identifying over \$22 billion in need. We must pass the 2016 State School Bond! *We need every school district and county office to pass a resolution in support of the 2016 State School Bond.* Attached is a sample resolution for your use.

The following bipartisan endorsements from statewide leaders and elected officials are new since the March update:

- Lorena Gonzalez, California State Assembly
- Curt Hagman, San Bernardino County Supervisor
- Janet Nguyen, California State Senate
- Jim Nielsen, California State Senate
- Ling Ling Chang, California State Assembly
- Jim Cooper, California State Assembly

Following are the organizations that have endorsed the State School Bond:

- American Council of Engineering Companies, California
- California Business Roundtable
- California Chamber of Commerce
- California Association of Sheet Metal and Air Conditioning Contractors, National Association
- California Business Properties Association
- California Housing Consortium
- Central Valley Education Coalition
- School Energy Coalition
- Small School Districts' Association
- State Building and Construction Trades Council of California

For more information or to contribute, please visit www.cashissuesstateschoolbond.com. We look forward to your continuing support to pass the State School Bond on November 8, 2016.



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Legislative Update

The second year of the 2015-16 legislative session is in full swing. C.A.S.H. advocates have reviewed and analyzed legislation that could impact school facilities, and C.A.S.H. has taken positions on a number of bills. Throughout the month of April, the legislature will consider bill proposals in various policy committees. Below is information on a number of new bills for which C.A.S.H. has adopted formal positions or is actively engaged in policy discussions.

– **AB 2120 (Weber) – Intervenor Compensation**

This bill would allow County Offices of Education and community college districts to participate in the intervenor compensation program for Public Utilities Commission proceedings. This program allows participants to apply for reimbursement for costs associated with active participation in proceedings such as rate change cases. Under the bill, a COE would be able to participate or intervene on behalf of any local educational agency located within the county. This is currently a hot topic because some school districts, in particular those in San Diego County, are facing significant energy rate increases. An outstanding policy question is whether the COE is the right mechanism for a school district's participation; perhaps other regional models such as JPAs would be a better fit. *C.A.S.H. has adopted a watch position on this bill.*

– **AB 2738 (Olsen) – Bond Proceeds Investment**

This bill would prohibit school districts from withdrawing bond proceeds for investment outside the county treasury. It is sponsored by the County Treasurers and Tax Collectors Association, which believes that county treasurers are better equipped to make appropriate investment decisions. C.A.S.H. is concerned that this bill may limit school district flexibility by eliminating a local financial management tool. *C.A.S.H. has adopted an "oppose" position*, arguing that robust school bond accountability and transparency mechanisms already exist. School districts and their board of education are directly accountable to voters, and they should continue to have the right to make the ultimate investment decision on behalf of their communities, in the spirit of local control and accountability. This bill is scheduled to be heard in Assembly Education Committee on April 6.

– **AB 1783 (Dodd) – Classroom Contents and Earthquake Safety**

This bill would require school districts to develop and implement a plan to inspect non-structural classroom contents, such as furniture and equipment, for earthquake safety. The plan must include annual inspections and a corrective action plan, following the *Guide and Checklist for Nonstructural Earthquake Hazards in California Schools* developed by various state agencies. This bill is in response to the Napa earthquake from August 2014, which, according to Assembly Member Dodd, created \$9 million in costs to repair and replace classroom contents. C.A.S.H. has concerns regarding the expense and administrative burdens of this proposal, and we are working with the author and committee staff to discuss our



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concerns. The bill will be heard in Assembly Education Committee on April 6, and it is our understanding that amendments will be taken to significantly limit the scope of the bill to a one-time assessment without corrective action requirements. This bill is scheduled to be heard in Assembly Education Committee on April 6.

– **AB 2316 (O'Donnell) – Lease-Leaseback**

This bill is essentially a spot bill, with the author's intent to create a competitive selection process for lease-leaseback. The current version strikes "without advertising for bids" from Education Code Section 17406, which is the lease-leaseback authorizing statute for K-12. The author's staff indicate that they are considering a best value method and want to preserve a collaborative process. The bill may also address the disgorgement issue arising from the *Davis vs. Fresno USD* appellate court decision. C.A.S.H. is working closely with the author's office to provide our feedback and ensure a balanced approach.

– **SB 885 (Wolk) – Indemnity**

This bill proposes changes to the contractual arrangement between school districts and design professionals related to indemnity. Specifically, it states that design professionals shall only have the duty to defend claims pertaining to their "negligence, recklessness, or willful misconduct," and they do not have a duty to defend claims against other entities. At issue is who pays the first dollar of defense, and under SB 885 districts would pay up-front defense costs. The bill is sponsored by the American Council of Engineering Companies of California. This issue was subject to major negotiated agreements in 2010 and 2011; as such, *C.A.S.H. is joining with a coalition of other public works entities opposing the bill* and encouraging preservation of the previously negotiated agreements.

– **SB 1170 (Wiekowski) – Water Pollution Prevention Plans**

This bill would prohibit a public entity, charter city, or charter county from delegating the development of plans associated with public works projects, and from requiring a contractor on a public works contract to assume responsibility for the completeness and accuracy of those plans. Under the bill, a plan is defined as a Storm Water Pollution Prevention Plan (SWPPP), a water pollution control program, or any other plan required by regional water boards to prevent or reduce water pollution or runoff on a public works project. *C.A.S.H. is a signatory to a joint opposition letter* that includes cities, counties and education organizations. The opposition's primary argument is that this bill would shift liability of SWPPP to public agencies and will create confusion and conflict in the public works process.



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Healthy Schools Act - Required IPM Training

The Healthy Schools Act (HSA) was enacted in 2000 to promote reduction in the use of pesticides on school sites by focusing on pest prevention through the use of “Integrated Pest Management” (IPM) practices. SB 1405, which became effective January 1, 2015, imposes additional requirements under the HSA on school districts and child care centers, including development and posting of IPM plans, reporting of pesticide use, and *completion of IPM training*.

Beginning July 1, 2016, any person prior to applying any pesticide subject to the HAS at a school or child care center, must annually complete a Department of Pesticide Regulation (DPR)-approved online training course. DPR will offer three levels of training (basic, intermediate and advanced), but at this time only the basic-level course is available. It is highly recommended that school staff or private vendors who are responsible for pesticide applications take the training as soon as possible to ensure that they are compliant with the SB 1405 requirements. The training course can be found and completed on DPR’s website at <http://apps.cdpr.ca.gov/schoolipm/training/main.cfm>.

School Action for Health and Safety (SASH) Advisory Meeting

The Department of Industrial Relation’s (DIR) Commission on Health and Safety and Workers’ Compensation (CHSWC) created the School Action for Health and Safety Advisory Committee to support workplace safety in California schools. The SASH Advisory Committee met on March 22 in Oakland and the agenda included Health and Safety Issues Facing Special Education Departments, Model Health and Safety Programs for School Employees, an update on the Healthy Schools Act (Ian Padilla representing C.A.S.H. provided an overview of the HSA), and Educational Outreach and Resource Activities Planned in 2016-18. The Advisory Committee will meet again in the Fall of 2016.

37th C.A.S.H. Annual Conference Summary

The C.A.S.H. 37th Annual Conference on School Facilities, held February 22-24, 2016 at the Sacramento Convention Center and Hyatt Regency Hotel in Sacramento, was very successful!

The Trade Show sold out, we had a long list of sponsors and overall attendance increased more than 10 percent! There was an optimistic and infectious vibe from the more than 1,500 attendees, exhibitors and speakers throughout the event. The greater attendance was evident in many packed workshop rooms and significant traffic throughout the Trade Show.

For the full article, include a Conference pictorial, visit the CASH Register website, www.cashfacilitiesnews.org/37th-c-a-s-h-annual-conference-summary.



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Save the Date! C.A.S.H. Happy Hour/Networking Mixers

Join your fellow school facility professionals! For more information, contact Mike Vail at (949) 498-8993.

– **April 21, 2016 | 5:00 – 7:00 p.m.**
The Padre Hotel
1702 18th Street
Bakersfield, CA 93301
Sponsored by Colombo Construction Co. Inc.

– **May 12, 2016 | 5:00 – 7:00 p.m.**
Crush & Brew
28544 Old Town Front Street
Temecula, CA 92590
Sponsored by Leighton Construction and Koppel & Gruber Public Finance

C.A.S.H. Welcomes New Members

C.A.S.H. would like to welcome the following new members that have joined in February and March:

School Districts

Alpine County USD
Campbell Un. HSD
Caruthers USD
Earlimart Elem. SD
Galt Jt. Un. Elem. SD
Maple Elem. SD
Pasadena USD

Community College Districts

Yuba CCD

Associates

AFE Sports
Brandow & Johnston, Inc.
Counterpoint Construction Services
Del Terra
D-Max Engineering, Inc.
Foundation Support of CA

Gafcon Inc.

Hazmapped
McGuire and Hester
NSP3 Park Associates Inc.
OpTerra Energy Services
P2S Engineering
R S Construction Services Inc.
Service Oriented Sales
Shaw Contract Group
Sport Court
Syserco Inc.

Maintenance Network

Fresno Co. Ofc. of Educ.
Hazmapped
San Ramon Valley USD
Sanger USD
Service Oriented Sales
TerraVerde Renewable Partners, LLC

For the latest updates on important matters affecting school facilities, be sure to check the CASH Register news website, www.cashfacilitiesnews.org.

C.A.S.H. is on Facebook!
To “like” our page and connect with us, click the Facebook link on the C.A.S.H. homepage.
You can also follow us on Twitter at @CASHFacilities.