



FACILITY PLANNERS MEETING UPDATE
MAY 2016

UPCOMING EVENTS

CASH Happy Hour/Networking Mixers
5/12, Temecula

CASH Monthly Workshop
School District Options for Competitive Selection
5/24/16, Sacramento

CASH Spring Symposium
Creating the Educational Infrastructure that Accelerates Learning
5/19-5/20, San Diego

Visit the CASH website to register for these events.
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UPDATE

Kindergarten through Community College Public Education Facilities Bond Act of 2016

In response to the lack of state funding for school facilities, CASH 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.**

On April 20, the Public Policy Institute of California (PPIC), a well-respected California polling firm widely read by Sacramento decision-makers, released its 12th Annual Statewide Survey on Californians and Education. The report indicates strong support for funding local schools, stating that, "Most Californians...favor two proposals that are likely to be on the November ballot to increase it: an extension of the Proposition 30 tax increase on higher incomes and a bond measure to pay for school construction projects."

Specifically, the PPIC survey indicated that 76% of adults and 63% of likely voters would vote yes on a state school bond measure to pay for school construction projects, which is a very strong level of support for school facilities. The polling shows support is highest among Democrats (83%), second highest among Independents (60%), and third highest among Republicans (51%). It is also noteworthy that an overwhelming majority of public school parents support a state school bond (84%).

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 119 resolutions have been received, identifying over \$23 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.

CASH continues to roll out endorsements of the State School Bond on a weekly basis, which continues to broaden and deepen support. We look forward to your continuing support to pass the State School Bond on November 8, 2016! For more information or to contribute, please visit www.cashissuesstateschoolbond.com.

Legislative Update

April 22, 2016 was the deadline for policy committees to pass bills with a potential state fiscal impact, which must next be heard in Appropriations Committee. Most bills have now received their initial policy vetting, and proposals initially lacking detail (i.e. "spot bills") are beginning to be fleshed out. The next major deadline is May 27, the date by which fiscal bills must pass out of Appropriations Committee to continue moving through the legislative process.



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AB 1783 (Dodd) – Classroom Contents and Earthquake Safety

This bill has been significantly amended to narrow its scope, and CASH advocates have been actively engaged in the policy discussions. The bill now requires school districts, COEs, and charter schools in areas of “high seismicity” to conduct a one-time earthquake safety assessment by January 1, 2020 of non-structural classroom contents. Schools will use the guidelines set forth in the Office of Emergency Services “Guide and Checklist for Nonstructural Earthquake Hazards in California Schools” document, then develop and present to the governing board a corrective action plan to bring non-compliant items into compliance, including a prioritization of those items that present an “immediate and serious threat” to safety. The superintendent would annually certify to the governing board which corrective actions have been taken. The bill no longer requires completion of corrective actions, and it has been narrowed to a one-time, rather than annual, assessment. Perhaps the most significant change is limiting the requirements to schools in areas of “high seismicity,” as defined by the California Geological Survey. The bill passed out of Assembly Education Committee and is now on the suspense file in Assembly Appropriations Committee, where concerns have been raised by committee staff about costs, which they estimate in the tens of millions of dollars.

AB 2116 (Gallagher) – Assessed Valuation Projections

This bill would require a school district governing board to obtain “reasonable and informed projections of assessed property valuations that take into consideration projections of assessed property valuations made by the county assessor.” The bill was significantly amended in Assembly Education Committee. Previously, it would have required an independent third party assessed valuation projection, and required a Bond Oversight Committee (BOC) to annually review arrangements for issuing and repaying bonds. CASH opposed the prior version of the bill but removed our opposition when the author took amendments that addressed our concerns, including the added costs of a third-party analysis and granting BOCs fiscal oversight authority.

AB 2316 (O’Donnell) – Lease-Leaseback

This bill continues to be a work in progress. The author intends to create a competitive selection process for Lease-Leaseback, and CASH advocates are participating in a stakeholder group led by the author’s office to develop language that preserves the collaborative process while establishing parameters for competitive selection similar to a best value methodology. The bill will have its first policy hearing in early May.

AB 2429 (Thurmond) – Proposition 39 Bond Caps

This bill would increase the limits on bonding capacity for bonds issued under Proposition 39 (2000) as follows:

- From 1.25% of taxable property to 2% for elementary and high school districts
- From 2.5% to 4% for unified school districts and community colleges



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Given the current political complexities and CASH's top priority of a successful bond in November, CASH has not adopted a formal position and is instead closely monitoring this bill. The bill passed out of two policy committees is headed to the Assembly Floor. It has not been tagged as a state "fiscal" bill and will therefore bypass Appropriations Committee.

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 county treasurers are best equipped to handle such investment decisions. Districts are the ones ultimately responsible for delivering the projects they promise their communities and ensuring appropriate use of taxpayer dollars. As such, CASH has adopted an oppose position and believes that districts should have the right to consider alternatives to the county treasury investment model, especially if they believe the county treasury may not be able to preserve principle. The bill was passed by Assembly Education Committee and the full Assembly.

SB 693 (Hueso) – Skilled Workforce

This bill amends recent skilled workforce legislation enacted by AB 566 and other bills, bringing consistency to the requirements for Lease-Leaseback, Design-Build, and Best Value projects. It effectively pushes out the implementation date for Lease-Leaseback by one full year, requiring 60% of skilled journeypersons to be graduates of an approved apprenticeship program by January 1, 2020, rather than 2019. The bill also clarifies what to do if a contractor or bidder fails to provide the required monthly report or demonstrate compliance with the skilled workforce requirements. It provides additional guidance on how to calculate the apprenticeship graduation percentage requirements, and specifies that the requirements do not apply if a journeyperson works less than ten hours per month on a contract or project. CASH has adopted a support position.

SB 885 (Wolk) – Indemnity

SB 885 (Wolk) proposes changes to the contractual arrangement between school districts and design professionals related to indemnity. This issue was the subject of major negotiations in 2010, resulting in a compromise bill, SB 972 (Wolk). Current law established by SB 972 limits indemnity and defense obligations for design professionals on public projects to claims related to "negligence, recklessness, or willful misconduct of the design professional," and it permits school districts to negotiate agreements that require design professionals to pay first dollar of defense for such claims. SB 885 backtracks on this agreement, requiring districts to pay up-front defense costs and seek reimbursement limited to the design professional's degree of fault, as determined by a court, arbitration, or settlement. This bill would create an exception to long-standing and wide-reaching California indemnity law for one specific industry with an unsecured risk; case law has long established that the duty to defend is inherent in the obligation to indemnify, and such an exemption would be unprecedented. It would also prohibit negotiating other contractual



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arrangements that may better suit the particulars of a project, such as mandatory mediation or arbitration for such claims.

CASH is joining with a coalition of other public works entities opposing the bill and encouraging preservation of the previously negotiated agreement. It will have its first hearing Senate Judiciary Committee on May 3.

STORMS Seminar Series – “Living Schoolyards for Stormwater Management”
The Living Schoolyards for Stormwater Management seminar will explore opportunities to enhance school grounds while improving the way we manage our stormwater. The coupling of green schoolyards with stormwater management can improve urban ecological systems while enhancing water quality and supply. As California continues to navigate the impacts of drought, we must recognize that stormwater is a resource and California schools play a role in our response. Speakers will include Sharon Danks (MLA-MCP), CEO of Green Schoolyards America and author of Asphalt to Ecosystems, and Jeff Vincent, Ph.D., Deputy Director and Co-Founder of the Center for Cities + Schools (CC+S). The STORMS Seminar Series is part of an ongoing effort by the State Water Board to educate the regulated community and public on stormwater management strategies, tools, and actions that could be applied to more effectively capture and use stormwater runoff and improve stormwater quality and watershed processes.

When: Wednesday, May 18, 2016 from 10:00 a.m. to 12:00 p.m.
Where: 1001 I St - CalEPA Building, Byron Sher Auditorium, Sacramento, CA 95814

This event will also be webcast. The webcast link for the meeting will be activated approximately 10 minutes prior to the start of the event at: www.calepa.ca.gov/broadcast.

For more information, contact the event organizer:
Jeffrey Albrecht, P.E.
jeffrey.albrecht@waterboards.ca.gov or (916) 322-8569

CASH Maintenance Management Certificate Program (CMMCP)
Congratulations to our 2016-17 CASH Maintenance Management Certificate Program participants. The official kick-off occurred with the CMMCP Boot Camp which was held April 19-22 at the UCLA Conference Center at Lake Arrowhead. As school maintenance and operations departments play an increasingly central role in achieving the Local Control Accountability Plan’s (LCAP) “Good Repair” standard, CASH believes that going forward it is critical to develop leaders in school maintenance to ensure that California’s school facilities are “Clean, Safe, and Functional”. We applaud this year’s CMMCP participants for sacrificing their time and energy to commit to becoming future leaders in school maintenance. We would also like to thank Cathy Allen (Sacramento City USD), Fred Diamond (Citrus CCD), Jeff Dixon (Laguna Beach USD), Joe Dixon (Dixon SmartSchoolHouse, LLC) and Ted Rozzi (Corona-Norco USD) for serving as instructors, and in many cases mentors, to these future leaders in school maintenance.



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Upcoming CASH Workshop: School District Options for Competitive Selection
Tuesday, May 24, 2016 | Registration: 8:30 a.m.-9:00 a.m. | Workshop: 9:00 a.m.-3:00 p.m.

This workshop will focus on the various aspects of Competitive Selection to ensure that school districts have the most recent information to perfect their school facility projects. Specifically, the workshop will feature a presentation on what services can be competitively selected and the types of competitive selection. In addition, the workshop will include presentations on:

- Department of Industrial Relations (certified payroll, approved contractor list, apprenticeship training pipeline)
- Financing and Selecting Consultants for Your Local School Bond (California Attorney General’s opinion on financing local bond campaigns, security dealers limitations, role of consultants)
- Procurement Law (CMAST, piggyback contracts, relocatable classrooms)
- Project Insurance (wrap-around, sew-up, indemnification)

For school districts or COEs with school facility projects, or thinking about initiating a school facility project, this is a workshop that you cannot afford to miss.

CASH Planning and Funding Facilities of the Future Symposium: Creating Educational Infrastructure that Accelerates Learning

May 19-20, San Diego, CA

Continuing to explore the vital link between school facilities and academic performance, CASH is excited to announce the continuation of our efforts to provide educational opportunities focused on NextGen learning. The Planning and Funding Facilities of the Future Symposium is dedicated to “changing the way we do schools.” The event will be held at the Design39Campus in the Poway Unified School District, a highly unique NextGen campus, in an effort to bring teachers, principals and other instructional leaders together with facility planners, architects, engineers, design professionals, as well as designers of school furniture, to share how changes in instruction and learning are transforming the “concept of the classroom” and school facilities.

The symposium will begin on the afternoon of the Thursday, May 19 at the Design39Campus and will reconvene the following day at Hotel Karlan. Recognizing educators’ first concern is their students and limiting time away from their respective school sites, attendees have the choice of participating in one or both days.

The symposium will offer case studies that demonstrate how the professionals involved began the process of reshaping the learning environment by making a commitment to “change the way we do schools,” and how they collaborated with students, teachers, administrators, businesses leaders, the community and regulatory agencies to achieve their goals. Visit www.cashnet.org for more information and to register.



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California Department of Education – STEM Symposium Call for Presenters, Vendors, and Participants

California STEM Symposium 2016: October 9-11 at the Anaheim Convention Center

The Annual California Science, Technology, Engineering, and Math Symposium is hosted by The Californians Dedicated to Education Foundation in partnership with the California Department of Education. School facilities professionals and educators are encouraged to present new, modernized, or modified STEM school facilities and learning environments. We are seeking engaging, quality presentations to share school designs that enhance one or more STEM topics, including but not limited to, technology integration and infrastructure upgrades, career technical education schools, and partnerships with schools and districts that have designed or modified facilities to support STEM learning. Presenters must submit proposals online no later than Friday, May 20, 2016. www.stemcalifornia.org

For more information, please contact Molly Stitt, Education Programs Consultant:
mstitt@cde.ca.gov.

Save the Date! CASH Happy Hour/Networking Mixer

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

- 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*

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

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