

MINUTES
State Allocation Board
January 22, 2003

Upon notice duly given, a special meeting of the State Allocation Board was held in Room 447 of the State Capitol, Sacramento, California on January 22, 2003 at 4:00 p.m.

Members of the Board present were as follows:

- Robert Miyashiro, Deputy Director, Designated Chair for Steve Peace, Director, Department of Finance
- Clothilde V. Hewlett, Interim Director, Department of General Services
- Jack O'Connell, Superintendent of Public Education
- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Assembly Member Marco Firebaugh
- Assembly Member John Dutra
- Assembly Member Tony Strickland
- Senator Dede Alpert
- Senator Bob Margett
- Senator Tom Torlakson

Representatives of the State Allocation Board (SAB) were as follows:

Luisa M. Park, Executive Officer
Bruce B. Hancock, Assistant Executive Officer

Representatives of the Department of General Services, Office of Public School Construction (OPSC) were as follows:

Luisa M. Park, Executive Officer
Karen McGagin, Deputy Executive Officer

Representative of the Department of General Services, Office of Legal Services, was as follows:

Garry Ness, Assistant Chief Counsel

With a quorum present, Mr. Miyashiro, Chair, called the meeting to order at 4:08 p.m.

PRIOR MINUTES

A motion was made and carried to approve the minutes for the December 18, 2002 SAB meeting.

EXECUTIVE OFFICER'S STATEMENT

The Executive Officer announced that the Office of Public School Construction is ready to meet the Governor's request to make a commitment to expedite the funding for school construction and allocate nearly \$300 million a month in order to ensure that the remaining Proposition 47 funding be allocated prior to our next bond election. In order to accomplish this task, we will need the commitment and support from the school district community to assure that architects continue to develop plans for new schools and the modernization of existing schools.

CONSENT ITEMS

In considering this item, the Board approved the consent calendar as presented.

FINANCIAL REPORTS***Status of Funds***

The Board accepted the Status of Funds report as presented.

Senator Torlakson requested that staff report back with a "Best Practices Plan." This plan would help meet the Governor's request and spend the dollars as quickly and efficiently as possible.

Annual Adjustments to the School Facility Program Grants

In considering this item, the Board approved the staff's recommendations.

Reservation of Administrative Costs for the California School Finance Authority

In considering this item, the Board approved the staff's recommendations.

SPECIAL CONSENT ITEMS***Los Angeles Unified School District/Los Angeles 50/64733-00-13***

In considering this item, the Board approved the staff's recommendations.

SPECIAL APPEAL ITEMS***Monterey Peninsula Unified School District/Monterey 57/66092-00-01 Through 24***

In considering this item, the Board approved the staff's recommendation.

Use of New Construction Grant Requests

The following districts requested to use new construction SFP grants pursuant to existing regulations:

San Gabriel Unified/Los Angeles – 50/75291-00-03
Walnut Valley Unified/Los Angeles – 50/73460-00-05
ABC Unified/Los Angeles – 50/64212-02-01
Alta Vista Elementary/Tulare – 50/71811-00-01
Fairfax Elementary/Kern – 50/63461-00-01

San Jacinto Unified/Riverside – 50/67249-00-05
 Santa Maria-Bonita/Santa Barbara50/69120-00-08
 Santa Monica-Malibu Unified/Los Angeles – 50/64980-00-01 & 02
 Wheatland Elementary/Yuba – 50/72751-00-02
 El Centro Elementary/Imperial – 50/63123-00-01

In considering this item, the Board approved the staff’s recommendations.

REGULATIONS

Assembly Bill 16 and 14 Amendments to the School Facility Program

In considering this item, the Board approved the staff’s recommendations to the Urban Adjustment Regulations included in Attachment A with the additional language that exempts projects from the new regulations if the district had a project that was previously approved by the DSA, and has received SAB approval for a time extension for substantial progress prior to January 22, 2003.

Charter School Program /School Facility Program (Assembly Bill 14)

In considering this item, the Board approved the staff’s recommendations with the change that divided the state into four regions instead of three as was initially recommended.

Labor Compliance Program (Assembly Bill 1506)

At the request of the Board (member Senator Alpert) Mr. Art Luhan, State Labor Commissioner, and Mr. Tom Fredericks, a representative of the Labor Commissioner’s office, addressed the Board on the Department of Industrial Relations plan to implement the Labor Compliance Program certification for schools.

The following individuals addressed the Board with their concerns regarding the requirement to have the Department of Industrial Relations certify Labor Compliance Program:

- Tom Duffy, Coalition for Adequate School Housing
- Dave Walrath, Small School District’s Association
- Tom Robinson, San Diego County Office of Education
- Kevin Dayton, Government Affairs Director of the Golden Gate Chapter of Associated Builders
- Eric Christen, Government Affairs Director for the Western Electrical Contractors Association

In considering this item, the board approved the staff’s recommendation numbers 1, 2, 3 and 5.

In considering item number 4, the Board approved and directed OPSC staff to only accept the Department of Industrial Relations certification for the Labor Compliance Program. The Board also requested DIR to form a workgroup to ensure timely certification of school district’s LCP’s and report to the SAB monthly on their progress.

The motion carried with the following votes:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett		X		
Senator Torlakson	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Assembly Member Strickland		X		
Robert Miyashiro	X			
Clothilde Hewlett	X			
David Sickler	X			
Jack O’Connell	X			
Total	8	2	0	0

Use of Grants

In considering this item, the Board did not approve the staff's recommendations. The Board directed the staff to amend the existing regulations as follows:

- Allow Use of Grant (UOG) requests for projects that do not exceed 135% of the project capacity and the plans were approved by the Division of the State Architect prior to January 23, 2003.
- Reject all housing plans that utilize Multi-Track Year Round Enrollment.

The Board also directed the staff to return the Use of Grant item to the Implementation Committee for further review and consider modifying the definition of a gymnasium to include an athletic stadium.

Amendments to the State Allocation Board Membership

In considering this item, the Board approved the staff's recommendations.

CLOSED SESSION

In accordance with Section 11126 (e)(1) of the Government Code, the Board adjourned to a closed session at 6:35 p.m. to confer with and receive advice from legal counsel regarding litigation titled: "*Godinez, et al. versus Davis, et al.*" (Los Angeles County Superior Court, Case #BC227352), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 6:50 p.m.

INFORMATION/REFERENCE

Board Meeting Dates for the Remainder of the 2003 Calendar Year

OPSC Workload Summary List – New Construction and Modernization through January 15, 2003

Education Code Section 17052 (SB 1795) – Unfunded List Summary through December 31, 2002

Facility Hardship/Rehabilitation Approvals Without Funding List as of January 22, 2003

ADJOURNMENT

There being no further business to come before the Board, the Chair adjourned the meeting at 6:51 p.m.

LUISA M. PARK, Executive Officer