Resolution: 2016-01-01

State of California
State Allocation Board
School Facility Program

This Resolution of the State Allocation Board (hereafter referred to as the "Board") is applicable to the appropriate sections of the Education Code and is described and filed in the office of the Executive Officer and will be made available to all interested parties as the Resolution pertains to the documents attached hereto. Said documents were acted upon by the Board at its meeting on January 27, 2016.

WHEREAS, the Board has previously approved or determined to be approvable a number of projects for construction or modernization eligibility of facilities for school districts and is making apportionments and/or unfunded approvals for the grant amounts for projects that meet the Board's criteria for the apportionment of grants pursuant to Education Code Sections 17072.10, 17078.52, 17078.70, 17079 or 17074.10 or Board Regulations 1859.81.1 or 1859.83;

WHEREAS, Treasury Regulations Section 1.150-2 require the State (on whose behalf the Board is acting) to declare its reasonable intent to provide grant funding to school districts, in accordance with Board policy and law, for costs of the projects with proceeds of State bonds;

NOW THEREFORE, BE IT RESOLVED:

1. This Resolution is adopted by the Board for the purposes of establishing compliance with Treasury Regulations Section 1.150-2, and this Resolution does not bind the Board to make any additional apportionment, or bind the State to incur any indebtedness.

2. The Board anticipates that some or all of the school districts listed on the list of "Projects" referred to in this Resolution will pay certain capital expenditures in connection with some or all of the project costs prior to the issuance of bonds by the State to pay for the grants for the projects. The reimbursement of such costs is consistent with the State's budgetary and financial circumstances, and in accordance with Board policy, as no other funds or accounts of the State have been budgeted or are available to pay the costs of the projects on either a short-term or a long-term basis.

3. The Board, acting on behalf of the State, hereby declares that it is the State's official intent to use proceeds of general obligation bonds that may become available for such purpose, consistent with the requirements of law that are in effect at the time the funds are available, to provide grants in accordance with applicable laws and regulations.

4. This Resolution shall be continuously available for inspection by the general public during normal business hours at the offices of the Board at 707 3rd Street, West Sacramento, California, commencing within one week after the date of enactment of this Resolution.

5. Any eligibility determination does not constitute a commitment of future funding by the Board.

I, the undersigned, duly authorized as the Executive Officer of the State Allocation Board, do hereby certify the foregoing to be true and correct, and that this Resolution was adopted at a meeting of said Board on January 27, 2016 at Sacramento, California.

Lisa Silverman
Executive Officer
State Allocation Board

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, January 27, 2016

SCHOOL FACILITY PROGRAM UNFUNDED APPROVALS
(Lack of AB 55 Loans)

PURPOSE OF REPORT

To present to the State Allocation Board (Board) a list of School Facility Program (SFP) applications for unfunded approval.

DESCRIPTION

The project applications represent SFP new construction and modernization projects in date order of a complete application being received by the Office of Public School Construction (OPSC).

AUTHORITY

SFP Regulation Section 1859.2 defines an Unfunded List (Lack of AB 55 Loans) as an information list of unfunded projects that was created due to the State's inability to provide interim financing from the Pooled Money Investment Account (AB 55 loans) to fund school construction projects as declared in the Department of Finance Budget Letter #33 issued on December 18, 2008.

SFP Regulation Section 1859.95 states:

"When the Board has no funds to apportion …, the Board will also accept and process applications for apportionment for purposes of developing an Unfunded List based on the date the application is ready for Apportionment, with the exception of New Construction funding applications that utilize eligibility generated by the Alternative Enrollment Projection.

An application for funding included on an Unfunded List is eligible for reimbursement subject to adjustments in the New Construction Grants amount pursuant to Section 1859.77."

BACKGROUND

At the March 11, 2009 SAB meeting, the Board requested that Staff continue to process applications to the Board for unfunded approval, up to the bonding authority. The Attachment reflects applications being presented for unfunded approval, including SFP modernization and new construction projects in date order of a complete application being received by the OPSC. The list also includes health and safety facility hardship applications for funding that have been processed and are ready for approval regardless of received date. The unfunded approval of the applications as reflected on the Attachment does not constitute a guarantee of future funding.

RECOMMENDATIONS

1. Approve the SFP applications as presented on the Attachment.

2. Provide that these unfunded approvals do not constitute a guarantee of future funding.

ATTACHMENT
UNFUNDED APPROVALS
(Lack of AB 55 Loans)
State Allocation Board Meeting, January 27, 2016

County	District	School Site	Application Number	Received Date	Grant Amount
LOS ANGELES	WISEBURN UNIFIED	DA VINCI DESIGN	54/76869-00-001	9/18/2015	$31,429,231.40
				Charter:	$31,429,231.40
				Total:	$31,429,231.40

SCHOOL DISTRICT DATA

Application No: 54/76869-00-001
School District: Wiseburn Unified
County: Los Angeles
School Name: Da Vinci Design

PROJECT DATA

Type of Project:		High School
Pupils Assigned	**K-6:**	
	7-8:	
	9-12:	1296
	Non-Severe:	
	Severe:	
Application Filing Basis:		District Wide
Number of Classrooms:		48
Master Acres:		39.2
Existing Acres:		0
Proposed Acres:		13.71
Recommended Acres:		34
Facility Hardship (a):		No
Financial Hardship Requested:		No
Alternative Education School:		No
Addition to Existing Site:		No
Core Facilities:		Multi-Purpose Room

ADJUSTED GRANT DATA

CSFP New Construction Grant		$ 18,044,208.00
Fire Detection Alarm		36,288.00
Sprinkler System		277,344.00
Multi-Level Constr.	48 CRs.	2,165,305.00
Site Acquisition		17,404,260.00
Service Site		5,758,613.00
Utilities		87,963.00
General Site		1,000,467.00
Urban/Security/Impacted Site		6,851,422.00
Total State Share (50%)		51,625,870.00
Charter School Share (50%)		51,625,870.00
Total Project Cost		$ **103,251,740.00**

PROJECT FINANCING

State Share	
This Project	$ 51,625,870.00
Charter School Share	
Cash Contribution	51,625,870.00
CSFA Lease Amount	
Total Project Cost	$ **103,251,740.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Preliminary Apportionment	Preliminary Apportionment This Action	Authorized This Action	Unfunded Approval This Action
State Share						
CSFP New Construction/Additional Grant	**955-540**	**55**	$ 32,567,747.40	$ (32,567,747.40)	$ 31,429,231.40	$ 31,429,231.40
CSFP New Construction/Additional Grant	**055-540**	**55**	20,196,638.60	(20,196,638.60)	20,196,638.60	
Charter School Share						
CSFA Lease Amount	**955-540**	**55**				
CSFA Lease Amount	**055-540**	**55**				
Cash Contribution			52,764,386.00	(52,764,386.00)	51,625,870.00	
Total			$ **105,528,772.00**	$ **(105,528,772.00)**	$ **103,251,740.00**	$ **31,429,231.40***

Funding Source: Proposition 55 Bonds/2004-Mar.

Pursuant to the Board's action on March 11, 2009, this application has been approved and placed on the Unfunded List.
This approval does not constitute a guarantee or commitment of future State funding.

Senate Bill 854, Chapter 28, Statutes of 2014 repealed Labor Code (LC) Section 1771.3 which required school districts and charter schools to provide payment to Department of Industrial Relations (DIR) for prevailing wage monitoring. As a result, school districts and charter schools awarding a construction contract on or after June 20, 2014 are not mandated to provide payment for DIR monitoring and enforcement of prevailing wage requirements. Projects with an initial public works contract awarded on or after June 20, 2014 are not eligible to receive an additional grant for prevailing wage monitoring; however, school districts and charter schools are still required to notify DIR within five days of initial contract award pursuant to LC Section 1773.3(a)(1).

The Applicant shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

*The Applicant previously received $20,196,638.60 for advance design and site acquisition costs.

SAB Meeting: **January 27, 2016** **New Construction - Amended Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No:	51/71803-00-001	**County:**	Tulare
School District:	Alpaugh Unified	**School Name:**	Alpaugh Elementary

PROJECT DATA

Type of Project:	Elementary School
K-6:	191
7-8:	
9-12:	
Non-Severe:	
Severe:	
Application Filing Basis:	District Wide
Number of Classrooms:	8
Master Acres:	31.8
Existing Acres:	18.3
Proposed Acres:	
Recommended Acres:	29.1
Facility Hardship (a):	Yes
Financial Hardship Requested:	Yes
Alternative Education School:	No
Addition to Existing Site:	Yes

ADJUSTED GRANT DATA

New Construction Grant	**$**	1,862,441.00
Project Assistance		5,884.00
Fire Detection Alarm		2,101.00
Sprinkler System		31,324.00
Prevailing Wage Monitoring		7,446.00
Service Site		908,026.00
Off-Site		12,139.00
Utilities		91,959.00
Small Size Project		74,498.00
Total State Share (50%)		2,995,818.00
District Share (50%)		2,995,818.00
Total Project Cost	**$**	**5,991,636.00**

PROJECT FINANCING

State Share		
This Project	**$**	2,995,818.00
District Share		
Cash Contribution		19,672.00
Financial Hardship		2,976,146.00
Total Project Cost	**$**	**5,991,636.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	State Apportionment This Action
State Share					
New Construction/Add. Grant	**055-500**	**55**	3,049,944.00	(170,087.00)	**$** (170,087.00)
New Construction/Add. Grant	**047-500**	**47**	115,961.00		
District Share					
Cash Contribution			19,672.00		
Financial Hardship	**055-500**	**55**	3,049,944.00	(170,087.00)	(170,087.00)
Financial Hardship	**047-500**	**47**	96,289.00		
Total			**$ 6,331,810.00**	**$ (340,174.00)**	**$ (340,174.00)**

Funding Sources: Proposition 47 Bonds/2002-Nov.; Proposition 55 Bonds/2004-Mar.

This project is amended to remove the Multi-Level Construction grant due to a change in scope, and to amend the Utilities grant.

Assembly Bill 436 (Solorio), Chapter 378, Statutes of 2011, requires school districts to notify the Department of Industrial Relations (DIR) of School Facility Program projects with a public works contract awarded on or after January 1, 2012. Except for projects exempt pursuant to Labor Code Section 1771.3(b)(3), the DIR is required to provide prevailing wage monitoring services for the projects.

The District shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

The District qualifies for financial hardship pursuant to SFP Regulation Section 1859.81(c)(4). The District has demonstrated it is financially unable to provide all or part of the matching funds and is levying the developer fees or equal alternative revenue source justified by law. The District's total bonding capacity (July 27, 2012) is $5 million or less.

SAB Meeting: **January 27, 2016** **New Construction - Amended Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No: 51/71803-00-002
School District: Alpaugh Unified
County: Tulare
School Name: Alpaugh Junior-Senior High

PROJECT DATA

Type of Project:	Junior/Senior High School
K-6:	
7-8:	
9-12:	
Non-Severe:	
Severe:	
Application Filing Basis:	District Wide
Number of Classrooms:	10
Master Acres:	31.8
Existing Acres:	18.3
Proposed Acres:	
Recommended Acres:	29.1
Facility Hardship (a):	Yes
Financial Hardship Requested:	Yes
Alternative Education School:	No
Addition to Existing Site:	No

ADJUSTED GRANT DATA

Fire Detection Alarm		$	28,137.00
Project Assistance			5,884.00
Prevailing Wage Monitoring			15,829.00
Site Acquisition			164,238.00
Service Site			1,306,671.00
Off-Site			17,469.00
Utilities			132,332.00
Fac. Hardship Toilet	1850.6 Sq. Ft.		531,122.00
Fac. Hardship Other	26,285.9 Sq. Ft.		4,179,458.00
Total State Share (50%)			6,381,140.00
District Share (50%)			6,381,140.00
Total Project Cost		$	**12,762,280.00**

PROJECT FINANCING

State Share		
This Project	$	6,381,140.00
District Share		
Cash Contribution		67,582.00
Financial Hardship		6,313,558.00
Total Project Cost	$	**12,762,280.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	State Apportionment This Action
State Share					
New Construction/Add. Grant	**047-500**	**47**	$ 434,786.50		
New Construction/Add. Grant	**055-500**	**55**	4,332,726.50		
New Construction/Add. Grant	**057-500**	**1D**	1,537,262.00	$ 76,365.00	$ 76,365.00
District Share					
Cash Contribution			67,582.00		
Financial Hardship	**047-500**	**47**	367,204.50		
Financial Hardship	**055-500**	**55**	4,332,726.50		
Financial Hardship	**057-500**	**1D**	1,537,262.00	76,365.00	76,365.00
Total			$ **12,609,550.00**	$ **152,730.00**	$ **152,730.00**

Funding Sources: Proposition 47 Bonds/2002-Nov.; Proposition 55 Bonds/2004-Mar.; Proposition 1D Bonds/2006-Nov.

This project is amended to adjust the Utilities grant.

Pursuant to the Board's action on January 27, 2016, the District is required to submit a complete Fund Release Authorization (Form SAB 50-05) on or before April 26, 2016; otherwise, the apportionment will be rescinded without further Board action and will receive a new Unfunded Approval date of April 26, 2016.

The Form SAB 50-05 submittal must contain an original signature from a designated District Representative and must be physically received by the Office of Public School Construction at 707 Third Street, West Sacramento, CA 95605 prior to the close of business on April 26, 2016.

Assembly Bill 436 (Solorio), Chapter 378, Statutes of 2011, requires school districts to notify the Department of Industrial Relations (DIR) of School Facility Program projects with a public works contract awarded on or after January 1, 2012. Except for projects exempt pursuant to Labor Code Section 1771.3(b)(3), the DIR is required to provide prevailing wage monitoring services for the projects.

The District shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

The District qualifies for financial hardship pursuant to SFP Regulation Section 1859.81(c)(4). The District has demonstrated it is financially unable to provide all or part of the matching funds and is levying the developer fees or equal alternative revenue source justified by law. The District's total bonding capacity (at the date of request) is $5 million or less.

Provide that the State portion of any and all project savings realized from the funding of this Facility Hardship Program project must be returned to the State.

SAB Meeting: **January 27, 2016**

Charter School Facilities Program
Amended New Construction Adjusted Grant

SCHOOL DISTRICT DATA

Application No:	54/64733-00-082	**County:**	Los Angeles
School District:	Los Angeles Unified	**School Name:**	Monsenor Oscar Romero Charter

PROJECT DATA

Type of Project:		Middle School
Pupils Assigned	**K-6:**	132
	7-8:	241
	9-12:	
	Non-Severe:	
	Severe:	
Application Filing Basis:		District Wide
Number of Classrooms:		15
Master Acres:		11.1
Existing Acres:		3.6
Proposed Acres:		
Recommended Acres:		11.1
Facility Hardship (a):		No
Financial Hardship Requested:		No
Alternative Education School:		No
Addition to Existing Site:		No
Core Facilities:		Multi-Purpose Room

ADJUSTED GRANT DATA

CSFP New Construction Grant		$ 4,002,562.00
Fire Detection Alarm		5,681.00
Sprinkler System		72,482.00
Multi-Level Constr.	15 CRs.	375,067.00
Site Acquisition		11,762.00
Service Site		869,248.00
Off-Site		250.00
Utilities		115,098.00
Urban/Security/Impacted Site		1,888,473.00
Total State Share (50%)		7,340,623.00
Charter School Share (50%)		7,340,623.00
Total Project Cost		**$ 14,681,246.00**

PROJECT FINANCING

State Share	
This Project	$ 7,340,623.00
Charter School Share	
Cash Contribution	0.00
CSFA Lease Amount	7,340,623.00
Total Project Cost	**$ 14,681,246.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
CSFP New Construction/Additional Grant	**947-510**	**47**	$ 6,059,232.00	$ 18,668.50	$ 18,668.50
CSFP New Construction/Additional Grant	**955-540**	**55**	134,320.50		
CSFP New Construction/Additional Grant	**957-540**	**1D**	455,154.00		
CSFP New Construction/Additional Grant	**057-540**	**1D**	673,248.00		
Charter School Share					
CSFA Lease Amount	**947-510**	**47**	6,059,232.00	18,668.50	18,668.50
CSFA Lease Amount	**955-540**	**55**	134,320.50		
CSFA Lease Amount	**957-540**	**1D**	455,154.00		
CSFA Lease Amount	**057-540**	**1D**	673,248.00		
Cash Contribution					
Total			**$ 14,643,909.00**	**$ 37,337.00**	**$ 37,337.00***

Funding Sources: Proposition 47 Bonds/2002-Nov.; Proposition 55 Bonds/2004-Mar.; Proposition 1D Bonds/2006-Nov.

This project is being amended to provide additional bond authority that became available prior to the Charter School receiving a final apportionment.

Pursuant to the Board's action on March 11, 2009, this application has been approved and placed on the Unfunded List.
This approval does not constitute a guarantee or commitment of future State funding.

Senate Bill 854, Chapter 28, Statutes of 2014 repealed Labor Code (LC) Section 1771.3 which required school districts and charter schools to provide payment to Department of Industrial Relations (DIR) for prevailing wage monitoring. As a result, school districts and charter schools awarding a construction contract on or after June 20, 2014 are not mandated to provide payment for DIR monitoring and enforcement of prevailing wage requirements. Projects with an initial public works contract awarded on or after June 20, 2014 are not eligible to receive an additional grant for prevailing wage monitoring; however, school districts and charter schools are still required to notify DIR within five days of initial contract award pursuant to LC Section 1773.3(a)(1).

The Applicant shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

The multi-level construction grant has been reduced by $105,240 to account for the two-stop elevator grant that was provided for the corresponding rehabilitation project, application number 54/64733-00-083.

*Pursuant to the Board's action on April 15, 2015, projects on the Unfunded List (Lack of AB 55 Loans) that qualify for an increase are allowed to access available Bond Authority up until the Board awards a final apportionment. This item increases the total project cost by $37,337, thereby increasing the Urban/Security/Impacted Site grant from $1,869,804.50 to $1,888,473. This project shall maintain its original unfunded approval date of December 9, 2015.

SCHOOL DISTRICT DATA

Application Number:…….50/10058-00-001 School District:…..……...…….Calaveras COE

County:…….……..……Calaveras School Name:……..…..……Mountain Ranch Community

Financial Hardship…….…..……....Yes

Qualifying Financial Hardship Criteria: SFP Regulation Section 1859.81(c)(3).

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. A review of expenditures reported by the District indicates that per SFP Regulation Sections 1859.74 and 1859.106, the District was over-funded for the hazardous waste/materials removal and Department of Toxic Substances Control (DTSC) in the amount of $164,073. The District has concurred with the findings and agrees to return the State funds in the amount of $164,073.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 2,294,408	$ 0	$ 2,294,408
SFP Site Acquistion	320,000	(250)	319,750
SFP Site Other	25,000	0	25,000
SFP Service Site	517,128	0	517,128
SFP General Site	218,990	0	218,990
SFP Offsite	281,823	0	281,823
SFP Utilities	13,681	0	13,681
SFP New School	71,214	0	71,214
SFP Financial Hardship	4,157,590	(82,036)	4,075,554
SFP Project Assistance	5,168	0	5,168
SFP DTSC Fee	8,736	10,767	19,503
SFP Site Hazardous Removal	334,637	(92,554)	242,083
SFP Fire Detection/Alarm	4,568	0	4,568
SFP Fire Sprinklers	39,652	0	39,652
SFP Labor Compliance Program	22,585	0	22,585
Total State Apportionment	$ 8,315,180	$ (164,073)	$ 8,151,107
Financing			
State (SFP)	$ 4,157,590	$ (82,037)	$ 4,075,553
Financial Hardship (SFP)	4,157,590	(82,036)	4,075,554
Total Project Costs	$ 8,315,180	$ (164,073)	$ 8,151,107

RECOMMENDATIONS

1. Approve a decrease of $164,073 in the total project cost from $8,315,180 to $8,151,107.
2. Approve a decrease of $82,037 in the State Apportionment [Bonds/2004-Mar.; 055-500] from $4,157,590 to $4,075,553.
3. Approve a decrease of $82,036 in the Financial Hardship Contribution [Bonds/2004-Mar.; 055-500] from $4,157,590 to $4,075,554.
4. Require the District to return State funds in the amount of $164,073.

SCHOOL DISTRICT DATA

Application Number:……50/72736-00-018 School District:……Marysville Joint Unified

County:……Yuba School Name:……Dobbins Elementary

Financial Hardship……No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. A review of expenditures reported by the District indicates that per SFP Regulation Sections 1859.74 and 1859.106, the District incurred additional eligible expenditures and may receive additional hazardous waste/materials removal funding in the amount of $16,843. The District has concurred with these findings and is eligible for an additional apportionment in the amount of $8,421.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 608,985	$ 0	$ 608,985
SFP Service Site	275,091	0	275,091
SFP Offsite	15,341	0	15,341
SFP Utilities	97,970	0	97,970
SFP Small School	73,078	0	73,078
SFP Site Hazardous Removal	0	8,421	8,421
SFP Fire Detection Alarm	715	0	715
SFP High Performance	12,362	0	12,362
SFP Labor Compliance	16,178	0	16,178
Total State Apportionment	$ 1,099,720	$ 8,421	$ 1,108,141
Financing			
District Contribution	$ 1,099,720	$ 8,422	$ 1,108,142
State (SFP)	1,099,720	8,421	1,108,141
Total Project Costs	$ 2,199,440	$ 16,843	$ 2,216,283

RECOMMENDATIONS

1. Approve an increase of $16,843 in the total project cost from $2,199,440 to $2,216,283.
2. Approve an increase of $8,422 in the District Contribution from $1,099,720 to $1,108,142.
3. Approve an increase of $8,421 in the State Apportionment [Bonds/2004-Mar.; 955-500] from $1,099,720 to $1,108,141.
4. Approve an unfunded approval in the amount of $8,421.

SCHOOL DISTRICT DATA

Application Number:…….50/72736-00-020 School District:…..…….…….Marysville Joint Unified

County:……..……..…Yuba School Name:.....…..……Yuba Gardens Intermediate

Financial Hardship……..……..……..……..…No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. A review of expenditures reported by the District indicates that per SFP Regulation Sections 1859.74 and 1859.106, the District incurred additional eligible expenditures and may receive additional hazardous waste/materials removal funding in the amount of $66,272. The District has concurred with these findings and is eligible for an additional apportionment in the amount of $33,136.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 2,536,704	$ 0	$ 2,536,704
SFP Service Site	356,774	0	356,774
SFP Offsite	37,774	0	37,774
SFP Utilities	34,180	0	34,180
SFP Site Hazardous Removal	0	33,136	33,136
SFP Fire Detection Alarm	3,840	0	3,840
SFP High Performance	50,734	0	50,734
SFP Labor Compliance	21,102	0	21,102
Total State Apportionment	$ 3,041,108	$ 33,136	$ 3,074,244
Financing			
District Contribution	$ 3,041,108	$ 33,136	$ 3,074,244
State (SFP)	3,041,108	33,136	3,074,244
Total Project Costs	$ 6,082,216	$ 66,272	$ 6,148,488

RECOMMENDATIONS

1. Approve an increase of $66,272 in the total project cost from $6,082,216 to $6,148,488.
2. Approve an increase of $33,136 in the District Contribution from $3,041,108 to $3,074,244.
3. Approve an increase of $33,136 in the State Apportionment [Bonds/2004-Mar.; 955-500] from $3,041,108 to $3,074,244.
4. Approve an unfunded approval in the amount of $33,136.

SCHOOL DISTRICT DATA

Application Number:……50/72736-00-029 School District:……Marysville Joint Unified

County:……Yuba School Name:……Johnson Park Elementary

Financial Hardship……No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. A review of expenditures reported by the District indicates that per SFP Regulation Sections 1859.74 and 1859.106, the District was overfunded for hazardous waste and Department of Toxic Substances Control (DTSC) costs in the amount of $14,565. The District has concurred with these findings and has returned State funds in the amount of $7,283.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 1,811,946	$ 0	$ 1,811,946
SFP Service Site	187,057	0	187,057
SFP Offsite	72,812	0	72,812
SFP Utilities	57,960	0	57,960
SFP Small School	72,478	0	72,478
SFP Site DTSC Fee	10,720	(5,263)	5,457
SFP Site Hazardous Removal	7,020	(2,020)	5,000
SFP Fire Detection Alarm	2,482	0	2,482
SFP High Performance	38,504	0	38,504
SFP Labor Compliance	18,835	0	18,835
Total State Apportionment	$ 2,279,814	$ (7,283)	$ 2,272,531
Financing			
District Contribution	$ 2,279,814	$ (7,282)	$ 2,272,532
State (SFP)	2,279,814	(7,283)	2,272,531
Total Project Costs	$ 4,559,628	$ (14,565)	$ 4,545,063

RECOMMENDATIONS

1. Approve a decrease of $14,565 in the total project cost from $4,559,628 to $4,545,063.
2. Approve a decrease of $7,282 in the District Contribution from $2,279,814 to $2,272,532.
3. Approve a decrease of $7,283 in the State Apportionment [Bonds/2004-Mar.; 055-500] from $2,279,814 to $2,272,531.
4. Recognize the District returned State funds in the amount of $7,283.

SCHOOL DISTRICT DATA

Application Number:……50/10249-00-039
School District..:…..……Merced COE
County:…….……..Merced
School Name:…..……...Schelby Special Ed Addition
Financial Hardship……Yes
Date of Financial Hardship Status:……11/21/2007
Qualifying Financial Hardship Criteria: SFP Regulation 1859.71(c)(3).

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is a Financial Hardship project and has savings in the amount of $77,692. SFP Regulation Section 1859.103 states that "the State's portion of any savings declared by the district or determined by the OPSC by audit must be used to reduce the SFP financial hardship grant of that project … any interest earned on a financial hardship project not expended on eligible project expenditures will be treated as savings and will be used to reduce the SFP financial hardship grant for that project." The District has concurred with the findings and agrees to return the State funds in the amount of $77,692.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 447,012	$ (38,846)	$ 408,166
SFP SDC Therapy	341,384	0	341,384
SFP Service Site	116,776	0	116,776
SFP Utilities	53,824	0	53,824
SFP Small School	53,641	0	53,641
SFP Financial Hardship	1,127,562	(38,846)	1,088,716
SFP SDC Therapy Toilet	81,408	0	81,408
SFP Project Assistance	5,333	0	5,333
SFP Fire Detection/Alarm	3,584	0	3,584
SFP Fire Sprinklers	8,322	0	8,322
SFP Labor Compliance Program	16,278	0	16,278
Total State Apportionment	$ 2,255,124	$ (77,692)	$ 2,177,432
Financing			
State (SFP)	$ 1,127,562	$ (38,846)	$ 1,088,716
Financial Hardship (SFP)	1,127,562	(38,846)	1,088,716
Total Project Costs	$ 2,255,124	$ (77,692)	$ 2,177,432

RECOMMENDATIONS

1. Approve a decrease of $77,692 in the total project cost from $2,255,124 to $2,177,432.
2. Approve a decrease of $38,846 in the State Apportionment [Bonds/2006-Nov.; 057-500] from $1,127,562 to $1,088,716.
3. Approve a decrease of $38,846 in the Financial Hardship Contribution [Bonds/2006-Nov.; 057-500] from $1,127,562 to $1,088,716.
4. Require the District to return State funds in the amount of $77,692.

SCHOOL DISTRICT DATA

Application Number:…….50/10249-99-009 School District:…....……Merced COE

County:…….……..…..Merced School Name:…..…….....Valley Community Add#2

Financial Hardship……Yes Date of Financial Hardship Status:……11/21/2007

Qualifying Financial Hardship Criteria: SFP Regulation 1859.71(c)(3).

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is a Financial Hardship project and has savings in the amount of $674,252. SFP Regulation Section 1859.103 states that "the State's portion of any savings declared by the district or determined by the OPSC by audit must be used to reduce the SFP financial hardship grant of that project … any interest earned on a financial hardship project not expended on eligible project expenditures will be treated as savings and will be used to reduce the SFP financial hardship grant for that project." The District has concurred with the findings and agrees to return the State funds in the amount of $674,252.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 1,172,621	$ (337,126)	$ 835,495
SFP Service Site	39,335	0	39,335
SFP Utilities	58,238	0	58,238
SFP Small School	46,905	0	46,905
SFP Financial Hardship	1,340,846	(337,126)	1,003,720
SFP Project Assistance	5,333	0	5,333
SFP Fire Detection/Alarm	1,604	0	1,604
SFP Labor Compliance Program	16,810	0	16,810
Total State Apportionment	$ 2,681,692	$ (674,252)	$ 2,007,440
Financing			
State (SFP)	$ 1,340,846	$ (337,126)	$ 1,003,720
Financial Hardship (SFP)	1,340,846	(337,126)	1,003,720
Total Project Costs	$ 2,681,692	$ (674,252)	$ 2,007,440

RECOMMENDATIONS

1. Approve a decrease of $674,252 in the total project cost from $2,681,692 to $2,007,440.
2. Approve a decrease of $337,126 in the State Apportionment [Bonds/2006-Nov.; 057-500] from $1,340,846 to $1,003,720.
3. Approve a decrease of $337,126 in the Financial Hardship Contribution [Bonds/2006-Nov.; 057-500] from $1,340,846 to $1,003,720.
4. Require the District to return State funds in the amount of $674,252.

SCHOOL DISTRICT DATA

Application Number:……50/65789-00-007 School District:……Merced Union High

County:……Merced School Name:……Bellevue Road Area High

Financial Hardship……No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. A review of expenditures reported by the District indicates that per SFP Regulation Sections 1859.74 and 1859.106, the District incurred additional eligible expenditures and may receive additional Department of Toxic Substances Control (DTSC) costs in the amount of $12,625. The District has concurred with these findings and is eligible for an additional apportionment in the amount of $6,312.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 20,593,419	$ 0	$ 20,593,419
SFP Site Acquisition	1,600,000	0	1,600,000
SFP Site Other	64,000	0	64,000
SFP Service Site	2,221,771	0	2,221,771
SFP General Site	1,577,620	0	1,577,620
SFP Offsite	1,806,261	0	1,806,261
SFP Utilities	384,066	0	384,066
SFP Site DTSC Fee	2,529	6,312	8,841
SFP Fire Detection Alarm	40,671	0	40,671
SFP Fire Spri nklers	322,386	0	322,386
SFP High Performance	448,937	0	448,937
SFP Labor Compliance	123,381	0	123,381
Total State Apportionment	$ 29,185,041	$ 6,312	$ 29,191,353
Financing			
District Contribution	$ 29,185,041	$ 6,313	$ 29,191,354
State (SFP)	29,185,041	6,312	29,191,353
Total Project Costs	$ 58,370,082	$ 12,625	$ 58,382,707

RECOMMENDATIONS

1. Approve an increase of $12,625 in the total project cost from $58,370,082 to $58,382,707.
2. Approve an increase of $6,313 in the District Contribution from $29,185,041 to $29,191,354.
3. Approve an increase of $6,312 in the State Apportionment [Bonds/2004-Mar.; 955-500] from $29,185,041 to $29,191,353.
4. Approve an unfunded approval in the amount of $6,312.

SCHOOL DISTRICT DATA

Application Number:.....53/64733-00-037 School District:.....Los Angeles Unified
County:.....Los Angeles School Name:……...Central Region Elementary #14
FinancialHardship:.....No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. A review of expenditures reported by the District indicates that per SFP Regulation Sections 1859.74 and 1859.106, the District was over-funded for site acquisition, site other, and site relocation assistance. Further, the District incurred additional eligible expenditures and may receive additional hazardous waste removal and Department of Toxic Substances Control (DTSC) funding. The District has concurred with these findings and is eligible for an additional apportionment in the amount of $59,936.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 7,734,125	$ 0	$ 7,734,125
SFP Fire Detection Alarm	8,750	0	8,750
SFP Sprinkler System	130,375	0	130,375
SFP Labor Compliance	79,853	0	79,853
SFP High Performance	175,565	0	175,565
SFP Multi-Level Construction	928,095	0	928,095
SFP Service Site	2,291,957	0	2,291,957
SFP Off-Site	691,720	0	691,720
SFP Utilities	108,557	0	108,557
SFP General Site	574,476	0	574,476
SFP Urban/Security/Impacted Site	4,226,235	0	4,226,235
SFP Site Acquisition	7,796,376	(22,168)	7,774,208
SFP Site Other	311,855	(887)	310,968
SFP Site Relocation	694,766	(5,183)	689,583
SFP Hazardous Waste Removal	520,410	59,292	579,702
SFP Site DTSC	24,482	28,882	53,364
Total State Apportionment	$ 26,297,597	$ 59,936	$ 26,357,533
Financing			
District Contribution	$ 26,297,597	$ 59,937	$ 26,357,534
State (SFP)	26,297,597	59,936	26,357,533
Total Project Costs	$ 52,595,194	$ 119,873	$ 52,715,067

RECOMMENDATIONS

1. Approve an increase of $119,873 in the total project cost from $52,595,194 to $52,715,067.
2. Approve an increase of $59,937 in the District Contribution from $26,297,597 to $26,357,534.
3. Approve an increase of $59,936 in the State Apportionment [Bonds/2004-Mar.; 955-500] from $26,297,597 to $26,357,533.
4. Approve an unfunded approval in the amount of $59,936.

SCHOOL DISTRICT DATA

Application Number:……..56/64568-00-002
School District:……..……..……Glendale Unified
County:……..……Los Angeles
School Name:…..……Roosevelt Junior High
Financial Hardship……No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is an Overcrowding Relief Grant (ORG) project and has savings in the amount of $4,936,329. SFP Regulation Section 1859.103 states "The grants for the projects funded pursuant to...Section 1859.180 shall be limited to eligible expenditures, up to the State Apportionment for the project...." The District has returned State funds in the amount of $2,475,429.45, of which $7,264.45 will be returned to the District. The District has concurred with these findings.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 5,137,776	$ (2,468,165)	$ 2,669,611
SFP Multi Level Construction	616,533	0	616,533
SFP Service Site	184,006	0	184,006
SFP Offsite	1,286	0	1,286
SFP Utilities	4,332	0	4,332
SFP Urban Security	1,645,301	0	1,645,301
SFP Fire Detection/Alarm	10,368	0	10,368
Total State Apportionment	$ 7,599,602	$ (2,468,165)	$ 5,131,437
Financing			
District Contribution	$ 7,599,602	$ (2,468,164)	$ 5,131,438
State (SFP)	7,599,602	(2,468,165)	5,131,437
Total Project Costs	$ 15,199,204	$ (4,936,329)	$ 10,262,875

RECOMMENDATIONS

1. Approve a decrease of $4,936,329 in the total project cost from $15,199,204 to $10,262,875.
2. Approve a decrease of $2,468,164 in the District Contribution from $7,599,602 to $5,131,438.
3. Approve a decrease of $2,468,165 in the State Apportionment [Bonds/2006-Nov.; 057-531] from $7,599,602 to $5,131,437.
4. Recognize that the District has already returned State funds in the amount of $2,475,429.45.
5. Require the State to return funds in the amount of $7,264.45 to the District.

SCHOOL DISTRICT DATA

Application Number:……..57/73783-00-007 School District:…..…….Black Oak Mine Unified

County:……El Dorado School Name:…..……Georgetown Elementary

Financial Hardship……..……Yes Date of Financial Hardship Status:…...……..May 24, 2012

Qualifying Financial Hardship Criteria: SFP Regulation 1859.81(a).

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is a Financial Hardship project and has savings in the amount of $83,925. SFP Regulation Section 1859.103 states that "the State's portion of any savings declared by the district or determined by the OPSC by audit must be used to reduce the SFP financial hardship grant of that project … any interest earned on a financial hardship project not expended on eligible project expenditures will be treated as savings and will be used to reduce the SFP financial hardship grant for that project." The District has concurred with the findings and agrees to return the State funds in the amount of $83,925.

Budget Item	Currently Approved	Required Change	Revised Approval
SFP Modernization	$ 347,174	$ (50,355)	$ 296,819
SFP Financial Hardship	233,987	(33,570)	200,417
SFP Project Assistance	2,930	0	2,930
SFP Prevailing Wage Monitoring	875	0	875
Total State Apportionment	$ 584,966	$ (83,925)	$ 501,041
Financing			
State (SFP)	$ 350,979	$ (50,355)	$ 300,624
Financial Hardship (SFP)	233,987	(33,570)	200,417
Total Project Costs	$ 584,966	$ (83,925)	$ 501,041

RECOMMENDATIONS

1. Approve a decrease of $83,925 in the total project cost from $584,966 to $501,041.
2. Approve a decrease of $50,355 in the State Apportionment [Bonds/2006-Nov.; 057-570] from $350,979 to $300,624.
3. Approve a decrease of $33,570 in the Financial Hardship Contribution [Bonds/2006-Nov.; 057-570] from $233,987 to $200,417.
4. Require the District to return State funds in the amount of $83,925.

SCHOOL DISTRICT DATA

Application Number:……57/10199-00-021 School District:…..Los Angeles County Office of Education

County:……..……..…Los Angeles School Name:…..……Lincoln High

Financial Hardship……...……Yes

Qualifying Financial Hardship Criteria: SFP Regulation 1859.81(c)(3).

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is a Financial Hardship project and has savings in the amount of $935,549. SFP Regulation Section 1859.103 states that "the State's portion of any savings declared by the district or determined by the OPSC by audit must be used to reduce the SFP financial hardship grant of that project … any interest earned on a financial hardship project not expended on eligible project expenditures will be treated as savings and will be used to reduce the SFP financial hardship grant for that project." The District has concurred with the findings and agrees to return the State funds in the amount of $935,549.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP Modernization	$ 545,568	$ 0	$ 545,568
SFP Small School	83,107	0	83,107
SFP Fire Code Compliance	62,330	0	62,330
SFP Financial Hardship	1,434,356	(374,220)	1,060,136
SFP Fire Detection/Alarm	46,110	0	46,110
SFP 50 Year Old Modernization	1,532,115	(561,329)	970,786
Total State Apportionment	$ 3,703,586	$ (935,549)	$ 2,768,037
Financing			
State (SFP)	$ 2,269,230	$ (561,329)	$ 1,707,901
Financial Hardship (SFP)	1,434,356	(374,220)	1,060,136
District Contribution	78,464	0	78,464
Total Project Costs	$ 3,782,050	$ (935,549)	$ 2,846,501

RECOMMENDATIONS

1. Approve a decrease of $935,549 in the total project cost from $3,782,050 to $2,846,501.
2. Approve a decrease of $561,329 in the State Apportionment [Bonds/2006-Nov.; 057-570] from $2,269,230 to $1,707,901.
3. Approve a decrease of $374,220 in the Financial Hardship Contribution [Bonds/2006-Nov.; 057-570] from $1,434,356 to $1,060,136.
4. Require the District to return State funds in the amount of $935,549.

SCHOOL DISTRICT DATA

Application Number:…….57/10249-00-003 School District:…..…….....Merced COE

County:…….…….…….Merced School Name:…..……..Danielson Mod

Financial Hardship……..Yes Date of Financial Hardship Status……....07/22/2009

Qualifying Financial Hardship Criteria: SFP Regulation 1859.81(c)(3).

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is a Financial Hardship project and has savings in the amount of $7,308. SFP Regulation Section 1859.103 states that "the State's portion of any savings declared by the district or determined by the OPSC by audit must be used to reduce the SFP financial hardship grant of that project … any interest earned on a financial hardship project not expended on eligible project expenditures will be treated as savings and will be used to reduce the SFP financial hardship grant for that project." The District has concurred with the findings and agrees to return the State funds in the amount of $7,308.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP Utilities	$ 21,067	$ 0	$ 21,067
SFP Small School	32,186	0	32,186
SFP Fire Code Compliance	8,047	0	8,047
SFP Financial Hardship	225,174	(2,923)	222,251
SFP Project Assistance	2,843	0	2,843
SFP Fire Detection/Alarm	5,400	0	5,400
SFP 50 Year Old Modernization	268,218	(4,385)	263,833
Total State Apportionment	$ 562,935	$ (7,308)	$ 555,627
Financing			
State (SFP)	337,761	(4,385)	333,376
Financial Hardship (SFP)	225,174	(2,923)	222,251
Total Project Costs	$ 562,935	$ (7,308)	$ 555,627

RECOMMENDATIONS

1. Approve a decrease of $7,308 in the total project cost from $562,935 to $555,627.
2. Approve a decrease of $4,385 in the State Apportionment [Bonds/2006-Nov.; 057-570] from $337,761 to $333,376.
3. Approve a decrease of $2,923 in the Financial Hardship Contribution [Bonds/2006-Nov.; 057-570] from $225,174 to $222,251.
4. Require the District to return State funds in the amount of $7,308.

SCHOOL DISTRICT DATA

Application Number:……58/70177-00-001
School District:……Sierra-Plumas Joint Unified
County:……Sierra
School Name:……Loyalton High
Financial Hardship……No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is a Facility Hardship Program project and has savings in the amount of $68,414. The State Allocation Board item approving this project, on June 24, 2009, provides that the State portion of any and all project savings realized from the funding of this rehabilitation project must be returned to the State. The District has concurred with the findings and agrees to return the State funds in the amount of $41,048.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP Rehabilitation	$ 1,011,161	$ (41,048)	$ 970,113
SFP Project Assistance	3,135	0	3,135
SFP Prevailing Wage Monitoring	1,529	0	1,529
Total State Apportionment	$ 1,015,825	$ (41,048)	$ 974,777
Financing			
District Contribution	$ 677,217	$ (27,366)	$ 649,851
State (SFP)	1,015,825	(41,048)	974,777
Total Project Costs	$ 1,693,042	$ (68,414)	$ 1,624,628

RECOMMENDATIONS

1. Approve a decrease of $68,414 in the total project cost from $1,693,042 to $1,624,628.
2. Approve a decrease of $27,366 in the District Contribution from $677,217 to $649,851.
3. Approve a decrease of $41,048 in the State Apportionment [Bonds/2006-Nov.; 057-570] from $1,015,825 to $974,777.
4. Require the District to return State funds in the amount of $41,048.

SCHOOL DISTRICT DATA

Application Number:……..59/70573-00-001 School District:……..……..……Vacaville Unified

County:…….…….……Solano School Name:…..……..……Wood (Will C.) High

Financial Hardship……No

PURPOSE OF REPORT

To recommend accounting revisions to close out a completed project.

DESCRIPTION

A review of expenditures reported by the District has been made and the revisions indicated are necessary to close out this completed project. This is a Career Technical Education Facilities Program project and has savings in the amount of $4,996. SFP Regulation Section 1859.199 states "an applicant district may not retain savings realized by a Career Technical Education Facilities Project." The District has concurred with the findings and agrees to return State funds in the amount of $2,498.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP CTE Equipment	$ 190,254	(2,498)	$ 187,756
Total State Apportionment	$ 190,254	$ (2,498)	$ 187,756
Financing			
District Contribution	$ 190,254	$ (2,498)	$ 187,756
State (SFP)	190,254	(2,498)	187,756
Total Project Costs	$ 380,508	$ (4,996)	$ 375,512

RECOMMENDATIONS

1. Approve a decrease of $4,996 in the total project cost from $380,508 to $375,512.
2. Approve a decrease of $2,498 in the State Apportionment [Bonds/2006-Nov.; 057-600] from $190,254 to $187,756.
3. Approve a decrease of $2,498 in the District Contribution from $190,254 to $187,756.
4. Require the District to return State funds in the amount of $2,498.

SCHOOL DISTRICT DATA

School District: ……GUSTINE UNIFIED County:……..……..MERCED

Application Number:……...……...…50/73619-00-004 School Name. ……..NEW GUSTINE HIGH

PURPOSE OF REPORT

To present a School Facility Program (SFP) new construction project for rescission.

DESCRIPTION

The SFP New Construction Program provides funding for qualified school districts on a 50/50 state and local sharing basis. The unfunded approval for the design portion of this project was approved at the September 26, 2001 State Allocation Board meeting, but inadvertently did not include an amount for design funding. The District, however, submitted documentation requesting the project be rescinded. This item rescinds the unfunded approval for the design portion of this project.

Application No.	Total Number of Pupils		Unfunded Approval Date	Unfunded Amount
	9-12	Special Day Class Non-Severe		
50/73619-00-004	124	1	9/26/2001	$0.00

AUTHORITY

SFP Regulation Section 1859.107 states "a funding application that received an apportionment under Chapter 12 or Chapter 12.5 may not be rescinded and re-approved under the provisions of any amended law or administrative regulation unless specifically authorized by other applicable law".

SFP Regulation Section 1859.107(a)(2) states that an application may be withdrawn if "the Approved Application has not received an approval or has received an approval pursuant to Section 1859.95, but has not received an apportionment".

RECOMMENDATIONS

1. Recognize that the project did not include design funding and rescind the SFP project [50/73619-00-004].
2. Approve the return of 125 (124 9-12; 1 Special Day Class Non-Severe) pupil grants to the District's new construction baseline.

SCHOOL DISTRICT DATA

School District: ……..…..…...LOS ANGELES UNIFIED
County:……..……LOS ANGELES
Charter School……..GREENDOT PUBLIC SCHOOLS
School Name. ……..ANIMO JACKIE ROBINSON
Application Number:……54/64733-00-045

PURPOSE OF REPORT

To present a Charter School Facilities Program (CSFP) project for rescission.

DESCRIPTION

The CSFP permits a charter school or school district filing on behalf of a charter to apply for a Preliminary Charter School Apportionment (PCSA) for new construction projects and rehabilitation of district owned existing facilities that are at least 15 years old. The PCSA for a CSFP project must be converted within a four-year period to an adjusted grant apportionment meeting all the School Facility Program (SFP) criteria, unless a single one-year extension is granted. This item rescinds a CSFP PCSA.

AUTHORITY

See Attachment.

BACKGROUND

The Greendot Public Schools (Charter) received a new construction PCSA for the Animo Jackie Robinson High School project at the May 28, 2008 State Allocation Board (Board) meeting. Pursuant to action taken by the Board at the December 2008 meeting, the Charter's deadline was frozen on December 17, 2008. It was reinstated on May 3, 2012, with a deadline to convert the PCSA to a final apportionment of November 13, 2015. The Charter did not submit a complete conversion application or request for a single one-year extension by the deadline.

STAFF ANALYSIS/STATEMENTS

The District has not received any advanced funding for design or site acquisition costs. The entire amount of the PCSA will be returned to the corresponding Charter School Facilities Account and may be used for charter school purposes.

Application No.	Unfunded Approval Date	State Share Unfunded Amount	CSFP Lease Unfunded Amount	Bond Fund
54/64733-00-045	05/28/2008	$13,941,828	$13,941,828	1D

RECOMMENDATION

Rescind the SFP unfunded State Share and CSFP Lease amount of $27,883,656 [Bonds/2006-Nov.; 957-540] from $27,883,656 to $0.

AUTHORITY

School Facility Program Regulation Section 1859.107. Amending and Withdrawal of Applications.

A funding application that received an apportionment under Chapter 12 or Chapter 12.5 may not be rescinded and re-approved under the provisions of any amended law or administrative regulation unless specifically authorized by other applicable law.

A funding application, with the exception of funding applications identified in Subsection (a) below, that has received an approval pursuant to Section 1859.95, but has not received an apportionment, may receive an adjustment as allowed under Sections 1859.71, 1859.71.2(c), 1859.78.4(b) or 1859.78 at the time the apportionment is made. If the adjustment is a result of Sections 1859.71.2(c) or 1859.78.4(b), the district must submit an amended Form SAB 50-04. The amended application shall retain its OPSC processing date. No other adjustments may be made, including those resulting from changes to the regulations prior to final funding by the SAB. As an alternative, the application may be withdrawn and resubmitted for SAB approval under the provisions of any amended or new regulation that becomes effective prior to the apportionment for the project. The district must first request from the OPSC that the application be withdrawn and removed from the Unfunded List. The district may then resubmit the application to the OPSC under the provisions of the amended or new regulation once it is effective. The resubmitted application will receive a new processing date by the OPSC. School districts that have already received a site apportionment under Section 1859.81.1(a) may withdraw the application and file as an environmental hardship pursuant to Section 1859.75.1 without forfeiting their original site apportionment, provided that the new application does not exceed the amount already apportioned.

A funding application, with the exception of funding applications identified in Subsection (a) below, submitted to the OPSC that has not received an approval will receive funding under the provisions of the regulations that were in effect when the application was submitted to the OPSC and any funding adjustment authorized by Sections 1859.71.2(c) or 1859.78.4(b). If the funding adjustment is a result of Sections 1859.71.2(c) or 1859.78.4(b), the district must submit an amended Form SAB 50-04. The amended application shall retain its OPSC processing date.
At the option of the district, a funding application submitted to the OPSC that has not received an approval may be withdrawn and resubmitted for SAB approval under the provisions of any amended or new regulation once it is effective. The district must request that the application be withdrawn and removed from the OPSC workload list.
The resubmitted application will receive a new processing date by the OPSC.

At the option of the district, an Approved Application for Career Technical Education Facilities Project Funding submitted to OPSC prior to January 1, 2012 may be resubmitted for the purpose of requesting the funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable. To request that funding, the district must submit an amended Form SAB 50-10 at least 90 days prior to requesting an Apportionment pursuant to Section 1859.90.1 or 1859.90.2 or receiving an Apportionment pursuant to Section 1859.195. The amended application shall retain its original OPSC processing date.

(a) A district that submitted an Approved Application request for either a Modernization Adjusted Grant or a Separate Design Apportionment for a modernization project pursuant to Section 1859.81.1 that meets the criteria in (1) and (2) below must submit a new Form SAB 50-04 that meets the criteria in Subsections (b) or (c) no later than 60 calendar days after the effective date (September 16, 2002) of this Subsection:
(1) The Approved Application was received by the OPSC after April 29, 2002 but no later than the date this Subsection becomes effective (September 16, 2002).
(2) The Approved Application has not received an approval or has received an approval pursuant to Section 1859.95, but has not received an apportionment.
(b) The new Form SAB 50-04 identifies the same number of pupils assigned to the original project or a lesser amount that is not less than 37.5 percent of the pupils originally assigned to the project (round up). In this case, the district will be required to contribute additional funds to the project to meet the 40 percent district contribution required pursuant to Section 1859.79(b). If the project was approved as a financial hardship project under the provisions of Section 1859.81, the project shall maintain its financial hardship status, however, the district will be subject to a financial review pursuant to Section 1859.81(a) to determine if there are additional district funds available for the project.

(c) The new Form SAB 50-04 identifies a lesser number of pupils assigned to the project that does not exceed an amount determined by multiplying the pupils assigned to the original project by 37.5 percent (round down). In this case, the district will not be required to contribute additional funds to the project to meet the 40 percent district contribution required pursuant to Section 1859.79(b).
(d) If a new Form SAB 50-04 is submitted under the provisions of subsection (b), the Architect of Record or Design Professional certification made on the original Form SAB 50-04 will be accepted as satisfying the requirements of the new ` Form SAB 50-04.
(e) Any Approved Application request that meets the requirements of Subsection (a) will be withdrawn 60 calendar days after the date Subsection (a) becomes effective (September 16, 2002) if the district does not submit a new Form SAB 50-04 conforming to either Subsections (b) or (c).

Any application for eligibility determination that has received an approval may be amended to comply with provisions of an amended or new regulation once it is effective. The amended application will receive a new processing date by the OPSC.

Any application for eligibility determination that has not received an approval may be amended at any time to conform to an amended or new regulation. The application shall retain its OPSC processing date.

Any application for new construction eligibility determination that has received an approval must be amended to conform to Regulation Section 1859.51(l) prior to submittal of Form SAB 50-04.

Any application for new construction eligibility determination that has not received an approval must be amended to conform to Form SAB 50-02 and Form SAB 50-03 prior to submittal of Form SAB 50-04.

Any application for modernization eligibility determination that has received an approval must be amended to conform to Regulation Section 1859.61(g) prior to submittal of Form SAB 50-04.

Any application for modernization eligibility determination that has not received an approval must be amended to conform to Form SAB 50-03 prior to submittal of Form SAB 50-04.

Districts that have received an approval of eligibility on a HSAA or Super HSAA are not required to re-establish eligibility under the provisions of Section 1859.41(a).

Districts that have requested eligibility determination on a HSAA or Super HSAA that have not received an approval must comply with the provisions of Section 1859.41(a) prior to submittal of Form SAB 50-04. The amended eligibility application shall retain its original OPSC processing date.

A district that has received an approval of its eligibility determination on a district-wide, HSAA or Super HSAA basis, but received no New Construction Grant(s), may re-file on another eligibility determination basis provided it withdraws all previously submitted Form SAB 50-04 requests for New Construction Grant(s), including those on the Unfunded List.

Note: Authority cited: Sections 17070.35 and 17078.72(l), Education Code.
Reference: Sections 17070.35, 17070.63, 17074.15, 17074.16 and 17074.56, Education Code.

Section 1859.167.2. Preliminary Apportionment Rescissions.

(a) For projects apportioned on or before February 23, 2005 that are rescinded by the Board for purposes other than those outlined in Section 1859.166, the following will occur upon rescission:
(1) the SFP New Construction Eligibility will be increased for the pupils assigned to the Preliminary Charter School Application for the school district that physically contains the Charter School within its geographical boundaries.
(2) Those projects that have received an advanced release of funds as provided in Section 1859.164.2(a), shall be reduced to costs incurred and closed-out pursuant to Section 1859.106 with a corresponding SFP new construction baseline eligibility adjustment for the pupils assigned to the Preliminary Charter School Application.

(b) For projects apportioned on July 2, 2003 that are rescinded by the Board for purposes other than those outlined in Section 1859.166, the funds shall be returned to the program as follows:

(1) A fund shall be established within the 2002 Charter School Facilities Account to be known as the Conversion Increase Fund. An amount equal to $16,634,364 from Preliminary Charter School Apportionments rescinded on or before April 25, 2007 shall be transferred, on a one time basis, from the Unrestricted Charter School Fund to the Conversion Increase Fund established within that same account. The Conversion Increase Fund shall be used for the purposes outlined in Section 1859.167(b)(4).

(2) Funds available due to projects that rescind after April 25, 2007 shall be transferred to the Unrestricted Charter School Fund within the 2002 Charter School Facilities Account.

(c) For projects apportioned on February 23, 2005 that are rescinded by the Board for purposes other than those outlined in Section 1859.166, the funds shall be returned to the program as follows:

(1) A fund shall be established within the 2004 Charter School Facilities Account to be known as the Conversion Increase Fund. This fund shall be used for the purposes outlined in Section 1859.167(b)(4). This fund shall include all amounts from Preliminary Charter School Apportionments rescinded from the 2004 Charter School Facilities Account on or before April 25, 2007, plus the amounts initially reserved for the DTSC/Relocation Fund and the Hazardous Material/Waste Removal Fund established in Section 1859.163.3.

(2) Funds available due to project rescissions after April 25, 2007 including both the Preliminary Apportionment reservation and any amount available pursuant to subsection (c)(1) above that is not needed for a Final Charter School Apportionment, shall first be used to replenish the DTSC/Relocation Fund and the Hazardous Material/Waste Removal Fund until the cumulative deposits made back into the funds total the amount of funds initially reserved. Once these funds have been replenished, future rescinded amounts shall be returned to the Unrestricted Charter School Fund.

(d) The maximum amount available for each individual Final Charter School Apportionment from the 2002 and/or 2004 Conversion Increase Fund shall be equal to the ratio of the project's Preliminary Charter School Apportionment to the total value of preliminary charter school apportionments awarded on February 23, 2005, for those recipients eligible for these Conversion Increase Fund funds, multiplied by the sum of the amount of funds available for the Conversion Increase Fund in both the 2002 and 2004 Charter School Facilities Accounts.

(e) For projects apportioned after February 23, 2005 any rescinded amounts shall be transferred into the Unrestricted Charter School Fund in the appropriate Charter School Facilities Account. Projects shall be rescinded pursuant to the process described in subsection (a) above with the exception that any adjustments to the baseline eligibility shall be based on the ratio of the number of unhoused pupils pursuant to Section 1859.162.2 and the project capacity which generated the project funding to the eligible expenditures.

Any funds released are subject to the fifty percent local matching share requirement as required by Education Code Section 17078.54(d).

Note: Authority cited: Sections 17070.35 and 17078.64, Education Code.

Reference: Section 17078.54, Education Code.

SCHOOL DISTRICT DATA

School District: ……..……..…..……....OAKLAND UNIFIED
County:……..……..ALAMEDA
Charter School……..……LEADERSHIP PUBLIC SCHOOLS
School Name. ……..COLLEGE PARK
Application Numbers:……54/61259-09-004 AND 005

PURPOSE OF REPORT

To present a Charter School Facilities Program (CSFP) project for rescission.

DESCRIPTION

The CSFP permits a charter school or school district filing on behalf of a charter to apply for a Preliminary Charter School Apportionment (PCSA) for new construction projects and rehabilitation of district owned existing facilities that are at least 15 years old. The PCSA for a CSFP project must be converted within a four-year period to an adjusted grant apportionment meeting all the School Facility Program (SFP) criteria, unless a single one-year extension is granted. This item rescinds a CSFP PCSA.

AUTHORITY

See Attachment A.

BACKGROUND

The District received new construction and rehabilitation PCSAs for the Leadership Public Schools-College Park High School project at the May 26, 2010 State Allocation Board meeting. The District submitted a letter (Attachment B), dated October 23, 2015, which stated that the District did not intend to move forward with the project and requested to rescind the PCSA.

STAFF ANALYSIS/STATEMENTS

The District has not received any advanced funding for design or site acquisition costs. The entire amount of the PCSA will be returned to the corresponding Charter School Facilities Account and may be used for charter school purposes.

Application No.	Unfunded Approval Date	State Share Unfunded Amount	CSFP Lease Unfunded Amount	Bond Fund
54/61259-09-004	05/26/2010	$383,400	$383,400	47
54/61259-09-005	05/26/2010	$1,278,086	$1,278,086	47
	Total:	$1,661,486	$1,661,486	

RECOMMENDATION

Rescind the SFP unfunded State Share and CSFP Lease amount of $3,322,972 [Bonds/2002-Nov.; 947-510] from $3,322,972 to $0.

ATTACHMENT A

AUTHORITY

School Facility Program Regulation Section 1859.107. Amending and Withdrawal of Applications.

A funding application that received an apportionment under Chapter 12 or Chapter 12.5 may not be rescinded and re-approved under the provisions of any amended law or administrative regulation unless specifically authorized by other applicable law.

A funding application, with the exception of funding applications identified in Subsection (a) below, that has received an approval pursuant to Section 1859.95, but has not received an apportionment, may receive an adjustment as allowed under Sections 1859.71, 1859.71.2(c), 1859.78.4(b) or 1859.78 at the time the apportionment is made. If the adjustment is a result of Sections 1859.71.2(c) or 1859.78.4(b), the district must submit an amended Form SAB 50-04. The amended application shall retain its OPSC processing date. No other adjustments may be made, including those resulting from changes to the regulations prior to final funding by the SAB. As an alternative, the application may be withdrawn and resubmitted for SAB approval under the provisions of any amended or new regulation that becomes effective prior to the apportionment for the project. The district must first request from the OPSC that the application be withdrawn and removed from the Unfunded List. The district may then resubmit the application to the OPSC under the provisions of the amended or new regulation once it is effective. The resubmitted application will receive a new processing date by the OPSC. School districts that have already received a site apportionment under Section 1859.81.1(a) may withdraw the application and file as an environmental hardship pursuant to Section 1859.75.1 without forfeiting their original site apportionment, provided that the new application does not exceed the amount already apportioned.

A funding application, with the exception of funding applications identified in Subsection (a) below, submitted to the OPSC that has not received an approval will receive funding under the provisions of the regulations that were in effect when the application was submitted to the OPSC and any funding adjustment authorized by Sections 1859.71.2(c) or 1859.78.4(b). If the funding adjustment is a result of Sections 1859.71.2(c) or 1859.78.4(b), the district must submit an amended Form SAB 50-04. The amended application shall retain its OPSC processing date.
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The resubmitted application will receive a new processing date by the OPSC.

At the option of the district, an Approved Application for Career Technical Education Facilities Project Funding submitted to OPSC prior to January 1, 2012 may be resubmitted for the purpose of requesting the funding as prescribed in Section 1859.71.6 or Section 1859.77.4, as applicable. To request that funding, the district must submit an amended Form SAB 50-10 at least 90 days prior to requesting an Apportionment pursuant to Section 1859.90.1 or 1859.90.2 or receiving an Apportionment pursuant to Section 1859.195. The amended application shall retain its original OPSC processing date.

(a) A district that submitted an Approved Application request for either a Modernization Adjusted Grant or a Separate Design Apportionment for a modernization project pursuant to Section 1859.81.1 that meets the criteria in (1) and (2) below must submit a new Form SAB 50-04 that meets the criteria in Subsections (b) or (c) no later than 60 calendar days after the effective date (September 16, 2002) of this Subsection:
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(2) The Approved Application has not received an approval or has received an approval pursuant to Section 1859.95, but has not received an apportionment.
(b) The new Form SAB 50-04 identifies the same number of pupils assigned to the original project or a lesser amount that is not less than 37.5 percent of the pupils originally assigned to the project (round up). In this case, the district will be required to contribute additional funds to the project to meet the 40 percent district contribution required pursuant to Section 1859.79(b). If the project was approved as a financial hardship project under the provisions of Section 1859.81, the project shall maintain its financial hardship status, however, the district will be subject to a financial review pursuant to Section 1859.81(a) to determine if there are additional district funds available for the project.

(c) The new Form SAB 50-04 identifies a lesser number of pupils assigned to the project that does not exceed an amount determined by multiplying the pupils assigned to the original project by 37.5 percent (round down). In this case, the district will not be required to contribute additional funds to the project to meet the 40 percent district contribution required pursuant to Section 1859.79(b).
(d) If a new Form SAB 50-04 is submitted under the provisions of subsection (b), the Architect of Record or Design Professional certification made on the original Form SAB 50-04 will be accepted as satisfying the requirements of the new ` Form SAB 50-04.
(e) Any Approved Application request that meets the requirements of Subsection (a) will be withdrawn 60 calendar days after the date Subsection (a) becomes effective (September 16, 2002) if the district does not submit a new Form SAB 50-04 conforming to either Subsections (b) or (c).

Any application for eligibility determination that has received an approval may be amended to comply with provisions of an amended or new regulation once it is effective. The amended application will receive a new processing date by the OPSC.

Any application for eligibility determination that has not received an approval may be amended at any time to conform to an amended or new regulation. The application shall retain its OPSC processing date.

Any application for new construction eligibility determination that has received an approval must be amended to conform to Regulation Section 1859.51(l) prior to submittal of Form SAB 50-04.

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Any application for modernization eligibility determination that has received an approval must be amended to conform to Regulation Section 1859.61(g) prior to submittal of Form SAB 50-04.

Any application for modernization eligibility determination that has not received an approval must be amended to conform to Form SAB 50-03 prior to submittal of Form SAB 50-04.

Districts that have received an approval of eligibility on a HSAA or Super HSAA are not required to re-establish eligibility under the provisions of Section 1859.41(a).

Districts that have requested eligibility determination on a HSAA or Super HSAA that have not received an approval must comply with the provisions of Section 1859.41(a) prior to submittal of Form SAB 50-04. The amended eligibility application shall retain its original OPSC processing date.

A district that has received an approval of its eligibility determination on a district-wide, HSAA or Super HSAA basis, but received no New Construction Grant(s), may re-file on another eligibility determination basis provided it withdraws all previously submitted Form SAB 50-04 requests for New Construction Grant(s), including those on the Unfunded List.

Note: Authority cited: Sections 17070.35 and 17078.72(l), Education Code.
Reference: Sections 17070.35, 17070.63, 17074.15, 17074.16 and 17074.56, Education Code.

Section 1859.167.2. Preliminary Apportionment Rescissions.

(a) For projects apportioned on or before February 23, 2005 that are rescinded by the Board for purposes other than those outlined in Section 1859.166, the following will occur upon rescission:
(1) the SFP New Construction Eligibility will be increased for the pupils assigned to the Preliminary Charter School Application for the school district that physically contains the Charter School within its geographical boundaries.
(2) Those projects that have received an advanced release of funds as provided in Section 1859.164.2(a), shall be reduced to costs incurred and closed-out pursuant to Section 1859.106 with a corresponding SFP new construction baseline eligibility adjustment for the pupils assigned to the Preliminary Charter School Application.

AUTHORITY (cont.)

(b) For projects apportioned on July 2, 2003 that are rescinded by the Board for purposes other than those outlined in Section 1859.166, the funds shall be returned to the program as follows:

(1) A fund shall be established within the 2002 Charter School Facilities Account to be known as the Conversion Increase Fund. An amount equal to $16,634,364 from Preliminary Charter School Apportionments rescinded on or before April 25, 2007 shall be transferred, on a one time basis, from the Unrestricted Charter School Fund to the Conversion Increase Fund established within that same account. The Conversion Increase Fund shall be used for the purposes outlined in Section 1859.167(b)(4).

(2) Funds available due to projects that rescind after April 25, 2007 shall be transferred to the Unrestricted Charter School Fund within the 2002 Charter School Facilities Account.

(c) For projects apportioned on February 23, 2005 that are rescinded by the Board for purposes other than those outlined in Section 1859.166, the funds shall be returned to the program as follows:

(1) A fund shall be established within the 2004 Charter School Facilities Account to be known as the Conversion Increase Fund. This fund shall be used for the purposes outlined in Section 1859.167(b)(4). This fund shall include all amounts from Preliminary Charter School Apportionments rescinded from the 2004 Charter School Facilities Account on or before April 25, 2007, plus the amounts initially reserved for the DTSC/Relocation Fund and the Hazardous Material/Waste Removal Fund established in Section 1859.163.3.

(2) Funds available due to project rescissions after April 25, 2007 including both the Preliminary Apportionment reservation and any amount available pursuant to subsection (c)(1) above that is not needed for a Final Charter School Apportionment, shall first be used to replenish the DTSC/Relocation Fund and the Hazardous Material/Waste Removal Fund until the cumulative deposits made back into the funds total the amount of funds initially reserved. Once these funds have been replenished, future rescinded amounts shall be returned to the Unrestricted Charter School Fund.

(d) The maximum amount available for each individual Final Charter School Apportionment from the 2002 and/or 2004 Conversion Increase Fund shall be equal to the ratio of the project's Preliminary Charter School Apportionment to the total value of preliminary charter school apportionments awarded on February 23, 2005, for those recipients eligible for these Conversion Increase Fund funds, multiplied by the sum of the amount of funds available for the Conversion Increase Fund in both the 2002 and 2004 Charter School Facilities Accounts.

(e) For projects apportioned after February 23, 2005 any rescinded amounts shall be transferred into the Unrestricted Charter School Fund in the appropriate Charter School Facilities Account. Projects shall be rescinded pursuant to the process described in subsection (a) above with the exception that any adjustments to the baseline eligibility shall be based on the ratio of the number of unhoused pupils pursuant to Section 1859.162.2 and the project capacity which generated the project funding to the eligible expenditures.

Any funds released are subject to the fifty percent local matching share requirement as required by Education Code Section 17078.54(d).

Note: Authority cited: Sections 17070.35 and 17078.64, Education Code.

Reference: Section 17078.54, Education Code.

ATTACHMENT B

OFFICE OF SUPERINTENDENT

ANTWAN WILSON

OAKLAND UNIFIED SCHOOL DISTRICT
Community Schools, Thriving Students

October 23, 2015

Erin Cunneen
Project Manager
Office of Public School Construction
707 Third Street
West Sacramento, CA 95605

SUBJECT: **Oakland Unified School District**
Charter School Facilities Program Projects
Leadership Public Schools-College Park
54/61259-09-004
54/61259-09-005

Dear Ms. Cunneen,

The Oakland Unified School District received a preliminary apportionment under the Charter School Facilities Program for the Leadership Public Schools-College Park Charter School new construction and rehabilitation project (54/61259-09-004 and 54/61259-09-005).

This letter is to inform you that the District will not proceed with this project and does not intend to convert the preliminary apportionment to a final apportionment. The District would like to request to rescind the preliminary apportionment at the first available State Allocation Board meeting.

Thank you for your assistance in this matter. If you have any questions or require additional information, please do not hesitate to contact Cesar.Monterrosa@ousd.org or call 510-535-7053.

Respectfully,

Antwan Wilson
Superintendent
Oakland Unified School District
Community Schools, Thriving Students

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, January 27, 2016

CHARTER SCHOOL REQUEST TO TRANSFER TITLE TO PROJECT FACILITIES

PURPOSE OF REPORT

To present Ocean Charter School's (Charter School) request to transfer title of the project facilities for Office of Public School Construction (OPSC) application number 54/64733-00-073 to the Los Angeles Unified School District (District).

DESCRIPTION

The Charter School was previously approved by the State Allocation Board (Board) to hold title to the project facilities. The Charter School has since executed its Charter School Agreements (Agreements). The Charter School is now requesting Board approval to transfer the right to hold title back to the District in order to qualify for additional funding offered by the District.

AUTHORITY

See Attachment A.

BACKGROUND

Education Code (EC) Section 17078.63 states that title to project facilities funded by the Charter School Facility Program (CSFP) may be held by the school district in which the project is located, a local governmental entity, or a the charter school. If a charter school wishes to hold title, a request to hold title must be made, unless the Agreements were executed prior to January 1, 2010. When a charter school holds title, the following additional security provisions must be recorded in the chain of title for the property:

- A lien on the property on behalf of the Board,
- A restrictive covenant requiring that the facilities be used for public school purposes,
- A remainder interest reverting to the local school district or the Board in the event the district disclaims the interest.

The Charter School was approved to hold title in April 2012. Agreements were executed in 2012, which identify the Charter School as holding title to the project facilities. The Charter School has not received advance funding for design or site acquisition and a site has not been purchased. The Charter School anticipates that total project costs will exceed the funding that will be provided by the CSFP and has qualified for a grant offered by the District that provides augmentation funding. A requirement of the grant is that the District must hold title to the project facilities.

STAFF ANALYSIS / STATEMENTS

EC Section 17078.63 allows for charter schools to request to hold title to the subject property for the benefit of the state public school system. The law does not address the scenario of a charter school requesting to transfer title back to the school district. However, in the event that the charter school ceased to use the facility for charter school purposes, the remainder interest security requirement would give title to the school district.

If the Charter School was allowed to transfer title back to the District, the current Agreements would no longer be valid, as they were executed with the Charter School as title holder. Prior to the transfer of title to the District, new Agreements would need to be executed between the State, Charter School and the District.

(Continued on Page Two)

STAFF ANALYSIS/STATEMENTS (cont.)

Staff has determined that since there is no provision outlined in statue or regulation to transfer title back to a school district, the OPSC does not have the authority to administratively approve this request. Except in the event of satisfying the remainder interest security provision, Board action is necessary to transfer title back to a school district. The Charter School's request is attached as Attachment B.

RECOMMENDATIONS

1. Allow the Charter School to transfer title to the District.

2. Require the Charter School to execute new Agreements between the State, the District and the Charter School, with the District identified as title holder for the project, prior to transferring title to the District.

3. Require the Charter School to provide a status update to the OPSC every three months until title has been transferred to the District.

4. Direct Staff to present an item recommending revocation of this Board finding if the Charter School fails to execute new Agreements prior to the transfer of title.

Attachment A

AUTHORITY

Education Code Section 17078.63:
(a) Prior to the release of funds for an application submitted pursuant to paragraph (2) of subdivision (b) of Section 17078.53 for site acquisition or new construction final apportionments, applicants shall provide one of the following:
(1) Documentary evidence that the school district in which the facility is to be physically located holds title to the project facilities in trust for the benefit of the state public school system.
(2) Documentary evidence that a local governmental entity, including, but not limited to, a county board of education, a city, a county, or a city and county, holds title to the project facilities in trust for the benefit of the state public school system, subject to both of the following conditions:
(A) Consistent with the prohibition in Section 6 of Article IX of the California Constitution regarding governance of public schools, a city, county, city and county, or other local governmental entity not included within the public school system that holds title pursuant to this paragraph shall not exercise any control over the operation of the charter school.
(B) The following shall be recorded in the chain of title for the property:
(i) A restrictive covenant specifying that the facility shall be used only for public school purposes as authorized in the California Constitution and statute.
(ii) A remainder interest to the school district in which the facility is physically located or, if the school district disclaims the interest to the facility, to the board. The remainder interest shall be triggered when the facility is no longer needed for charter school purposes and shall then be subject to paragraphs (2) to (6), inclusive, of subdivision (b) of Section 17078.62.
(3) (A) A request that the charter school be authorized to hold fee simple title to the subject property in trust for the benefit of the state public school system, on which a lien shall be recorded in favor of the board for the total amount of funds allocated pursuant to this article, including any loan received in lieu of a local matching share pursuant to Section 17078.57. The charter school shall include with the request a statement outlining the reasons why ownership of the project facilities is not vested with an entity set forth in paragraph (1) or (2). Prior to releasing any project funds, the board shall make findings that the applicant has submitted all of the information required by this paragraph.
(B) The following shall be recorded in the chain of title for the property:
(i) A restrictive covenant specifying that the facility shall be used only for public school purposes as authorized in the California Constitution and statute.
(ii) A remainder interest to the school district in which the facility is physically located or, if the school district disclaims the interest to the facility, to the board. The remainder interest shall be triggered when the facility is no longer needed for charter school purposes and shall then be subject to paragraphs (2) to (6), inclusive, of subdivision (b) of Section 17078.62.
(b) A charter school may request a school district to transfer title to project facilities to an entity authorized by paragraph (2) or (3) of subdivision (a) if the school district entered into an agreement, prior to January 1, 2010, to hold title to those facilities. A school district that receives a request pursuant to this subdivision may transfer the title to the entity designated in the request pursuant to terms and conditions mutually agreed upon by the district and the charter school.
(c) The board may adopt regulations to implement this section.

...
School Facility Program (SFP) Regulation Section 1859.2., "Definitions."
For the purpose of these regulations, the terms set forth below shall have the following meanings, subject to the provisions of the Act:
...
"Charter School" shall mean a school established pursuant to Education Code, Title 2, Division 4, Part 26.8, Section 47600, et seq.

"Charter School Agreements" mean a memorandum of understanding, a funding agreement and a use agreement as established by the California School Finance Authority (CSFA).

...

"Facility" means all or a portion of any real property, site improvements, utilities and/or buildings or other improvements contained in the project.

...

"Final Charter School Apportionment" shall mean a Preliminary Charter School Apportionment that has been converted to a Final Charter School Apportionment in accordance with Section 1859.165.

SFP Regulation Section 1859.172., "Title to Project Facilities."
(a) Prior to the release of funds for site acquisition or new construction Final Charter School Apportionments, a charter school that has received a Preliminary Charter School Apportionment must provide one of the following:
(1) Documentary evidence that the school district in which the project is physically located holds title to the project facilities,
(2) Documentary evidence that a local governmental entity holds title pursuant to all of the requirements set forth in Education Code Section 17078.63(a)(2), or
(3) A written request that the charter school be authorized to hold fee simple title to the subject property signed by an authorized charter school representative pursuant to all of requirements set forth in Education Code Section 17078.63(a)(3). The written request must include a statement justifying the reasons why ownership will not be vested with an entity described in (a)(1) and why ownership will not be vested with an entity described in (a)(2). The written request must also include the statement:
I certify, as the charter school representative, that the information reported in this document is true and correct.
(b) A charter school may request that a school district transfer title to project facilities to a local governmental entity or the charter school itself if prior to January 1, 2010 the school district entered into an agreement to hold title to the project facilities. The transfer of title shall only take place if the school district and charter school mutually agree to a title transfer. Prior to the transfer of title, the charter school must notify the OPSC in writing that a title transfer request is being made, enter into new Charter School Agreements with the State and a local
governmental entity if applicable, and demonstrate that all of the necessary conditions for holding title pursuant to Education Code Section 17078.63 will be complied with. For purposes of title transfer pursuant to Education Code Section 17078.63(b)(1) the charter school shall not be required to provide the written request outlined in section (a)(3) above.

Attachment B

Ocean Charter School

November 16, 2015

Erin Cunneen
Office of Public School Construction
Charter School Facilities Program
707 3rd Street
West Sacramento, Ca. 95605

Dear Erin;

The Ocean Charter School (OCS) requests SAB approval to transfer title back to LAUSD in order to participate in the District's Charter School Augmentation grant program that will assist in the construction of our Prop 1D school Project.

OCS has previously received SAB approval to own title themselves. This was done several years ago at a time when OCS had a site that could be purchased and constructed entirely with their Prop 1D reservation. Based on this approval, OCS moved forward with a conditional CDE site approval and also received site and planning funds from the SAB. Since that time, however, OCS was unable to complete the original site purchase and follow through with that project.

Currently OCS has found another site and is proceeding with a purchase subject to satisfying CDE safety studies. We are also applying for a LAUSD Charter Augmentation grant to assist in the cost of completion of the project. In order to satisfy LAUSD's grant requirements, the district needs to be the title holder of the property. The district is also aware of the need to provide a letter to your office agreeing to accept title to the property if the SAB approves this request. In addition, OCS is aware of the requirement to enter into the required agreements to satisfy this title transfer.

Thanks you for your help in processing this request.

Sincerely,

Kristy Mack Felt

Kristy Mack Felt
OCS Director

cc, Issam Dahdul, LAUSD

12606 Culver Blvd., Los Angeles, CA 90066 phone 310 827-5511 fax 310 827-2012
7400 W. Manchester Ave. Los Angeles, CA 90045 phone 310 348-9050 fax 310 348-9085
www.oceancharterschool.org

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Non-Conforming Buildings

(Continued Use)

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, January 27, 2016

EXEMPTION FOR INDEPENDENT STUDY FACILITIES

PURPOSE OF REPORT

To present the Los Banos Unified School District's (District) request, as shown on the Attachment, for an exemption from the definition of "school buildings" for certain facilities used for independent study.

DESCRIPTION

The District operates an independent study program at a facility that is not located at a regular school site and is requesting an exemption from the definition of "School building," as described in Education Code (EC) Section 17283, for the facility.

EC Section 17289 authorizes any school district or county office of education to request an exemption from the State Allocation Board (Board) for a building or structure or portion of a building or structure used for independent study from the definition of "school buildings." These buildings do not have to meet the Field Act requirements but must comply with local health and safety standards.

The District has certified that it has satisfied the legal requirements under EC Section 17289 for the exemption.

AUTHORITY

EC Section 17283 states: " "School building" as used in this article means and includes any building used, or designed to be used, for elementary or secondary school purposes and constructed, reconstructed, altered, or added to, by the state or any city or city and county, or by any political subdivision or by any school district of any kind within the state, or by any regional occupational center or program created by or authorized to act by an agreement under joint exercise of power, or by the United States government, or any agency thereof."

EC Section 17289 states "In order to provide alternative, community-based educational opportunities through independent study, any school district or county office of education may request an exemption from the State Allocation Board for a building or structure, or portion of a building or structure, from the definition of "school buildings" within the meaning of Section 17283. The exemptions may be granted for no longer than two years and exemptions are renewable. An exemption may only be granted if the school district or county office of education demonstrates to the satisfaction of the State Allocation Board all of the following:

(a) The building or structure, or portion of building or structure, satisfies all of the following:
(1) It is not located on a regular schoolsite.
(2) It complies with all applicable local building standards and all relevant local health and safety standards in the community in which it is located.
(3) It is used for independent study.
(4) It serves fewer than 25 pupils enrolled in kindergarten or any of the grades 1 to 12, inclusive, at any one time in the building or structure, or in a portion of a building or structure where the remainder of the building or structure is not used for instructional purposes.
(b) The use of the building or structure is critical to providing an effective alternative, community-based program.
(c) The use of other buildings or structures that would meet seismic safety standards for school facilities is not practical."

(Continued on Page Two)

STAFF ANALYSIS/STATEMENTS

The District has provided certification that it has met the criteria as stated in EC Section 17289. An exemption has been requested for one year.

RECOMMENDATION

Approve the District's request for an exemption from the definition of "school buildings" for the sites listed on the Attachment from January 1, 2016 through December 31, 2017.

ATTACHMENT

EXEMPTION FOR INDEPENDENT STUDY FACILITIES

Los Banos Unified School District
[91/65755-00-000]

Site	I.D. No.
265 Mercey Springs Road, Suite C Los Banos, CA 93635	24-65755-0119073
265 Mercey Springs Road, Suite D Los Banos, CA 93635	24-65755-0119073
265 Mercey Springs Road, Suite G Los Banos, CA 93635	24-65755-0119073

Facility Hardship / Rehabilitation Program

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, January 27, 2016

SCHOOL DISTRICT DATA	
School District: ..... LONG BEACH UNIFIED	County:.....LOS ANGELES
Application Number:.....51/64725-00-001	School Name: ..... HAMILTON JUNIOR HIGH
Total District Enrollment:..... 79,709	Project Grade Level: 6-8
Financial Hardship: ..... NO	

PURPOSE OF REPORT

To present the District's request for a 24-month time extension to submit a complete Seismic Mitigation Program (SMP) funding application for the previously approved conceptual approval for abandonment and replacement of site and facilities at Hamilton Junior High.

DESCRIPTION

The District received a conceptual approval for the demolition and replacement of the gymnasium at another location on the same site with an estimate cost of approximately $9.16 million under the School Facility Program (SFP) Facility Hardship regulations at the March 2014 State Allocation Board (Board) meeting. This approval required the District to submit a complete SFP new construction funding application by September 26, 2015. The District is requesting a 24-month time extension to this deadline to allow adequate time to submit the plans and specifications and obtain the required approvals from the Division of the State Architect (DSA) and the California Department of Education.

AUTHORITY

See Attachment 1.

BACKGROUND

The District previously received a conceptual approval at the March 2014 Board. The previous approval incorrectly listed the application number as 51/64725-00-002. Therefore, this item amends the prior approval to correctly reflect the application number as 51/64725-00-001.

At the March 2014 Board meeting, the District was approved for the demolition and replacement of the gymnasium at an alternate location on the same site (Hamilton Junior High School) that is not subject to the liquefaction hazard. The approval required the District to submit a complete funding application by September 26, 2015. The extension request was received, prior to the due date, on September 24, 2015 (Attachments 2 and 3).

STAFF ANALYSIS/STATEMENTS

The District has eight projects that received Phase 1 DSA approval for the SMP. However, due to the number of projects in process by the District and the uncertainty of whether there was enough local funding available, the gymnasium project was delayed. The District has retained an architect and is currently looking into re-using a set of existing plans. It is estimated that the plans and specifications will be submitted to DSA by May 2016 and will receive DSA approval by December 2016.

Due to the above-mentioned circumstances, Staff supports the District's request.

(Continued on Page Two)

RECOMMENDATIONS

1. Grant the district a 24-month time extension from September 26, 2015 until September 26, 2017, for the submittal of a complete funding application for the Hamilton Junior High School gymnasium.

2. Provide that all other provisions contained in the District's original approval from March 26, 2014 shall remain in full effect, as shown on Attachment 3.

3. Amend the prior conceptual approval approved at the March 2014 Board to correct the application number from 51/64725-00-002 to 51/64725-00-001.

ATTACHMENT 1

AUTHORITY

Education Code (EC) Section 17075.1.10(a) states:

A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are identified as a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event.

EC Section 17075.1.10(b)(2) states:

Funds for the purpose of seismic mitigation work or facility replacement pursuant to this section shall be allocated by the board on a 50-percent state share basis from funds reserved for that purpose in any bond approved by the voters after January 1, 2006. If the board determines that the seismic mitigation work of a school building would require funding that is greater than 50 percent of the funds required to construct a new facility, the school district shall be eligible for funding to construct a new facility under this chapter.

SFP Regulation Section 1859.61(l) provides adjustments to the Modernization Baseline Eligibility as a result of classrooms demolished and replaced pursuant to Regulation Section 1859.82.

SFP Regulation Section 1859.82 states:

"A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils."

SFP Regulation Section 1859.82 states in part:

"…A district may request a determination of eligibility for facility hardship funding in advance of project funding.
(c) A district seeking replaced facilities as a result of either (a) or (b) above must submit Form SAB 50-04 [Application for Funding] for the replaced facilities:

(1) Within 18 months if the replacement facilities will be located on the same site.
(2) Within 24 months if the replacement facilities will be located on a replacement site.

If an approved Application for the replaced facility is not accepted within the time periods identified in (c)(1) or (c)(2) above, the Board shall re-review the criteria submitted by the district for replacement of the facility prior to apportionment of the replaced facility."

SFP Regulation Section 1859.82(a)(1) provides for Facility Hardship grant funding when, "The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include…seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA…."

SFP Regulation Section 1859.82(a)(1)(A) states:

If the request is for the replacement facilities, a cost/benefit analysis must be prepared by the district and submitted to the [Office of Public School Construction] OPSC that indicates the total costs to remain in the classroom or related facility and mitigate the problem is at least 50 percent of the Current Replacement Cost of the classroom or related facility. The cost/benefit analysis may include applicable site development costs as outlined in Section 1859.76. If

the cost to remain in the classroom or related facility is less than 50 percent of the Current Replacement Cost, the district may qualify for a Modernization Excessive Cost Hardship Grant for rehabilitation costs pursuant to Section 1859.83(e) or a grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the board for seismic rehabilitation.

SFP Regulation Section 1859.82(a)(1)(B) states:

If the request is for replacement facilities that included structural and/or seismic deficiencies, the cost/benefit analysis must also include from a licensed design professional identifying the minimum work necessary to obtain DSA approval. The report must contain a detailed cost estimate of the repairs. The cost/benefit analysis shall not include increased costs associated with high performance related costs or components, with the exception of those high performance components that were pre-existing in the classroom or related facility. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the DSA. For seismic deficiencies of the Most Vulnerable Category 2 Buildings, the report and the cost estimate for the minimum work necessary must be reviewed by the DSA.

SFP Regulation Section 1859.82(a)(1)(C) states:

The seismic mitigation projects must meet all of the following requirements:

1. The construction contract was executed on or after May 20, 2006;
2. The project funding provided shall be for the minimum work necessary to obtain DSA approval;
3. The building is designed for occupancy by students and staff; and
4. The DSA concurs with a report by a structural engineer, which identifies structural deficiencies that pose an unacceptable risk or injury to its occupants in a seismic event. If the unacceptable risk of injury is due to the presence of faulting, liquefaction or landslide, these hazards must be documented by a geologic hazards report prepared by an engineering geologist in accordance with California Building Code, Part 2, Chapter 18, section 1803A and with the concurrence of the California Geological Survey.

The structural engineer's report shall conform to the guidelines prepared by the DSA, in accordance with Education Code Section 17310.

long beach unified school district

BUSINESS DEPARTMENT – Facilities Development & Planning
2425 Webster Avenue, Long Beach, CA 90810
(562) 997-7550 Fax (562) 595-8644

January 6, 2016

Ms. Candace Ly
Project Manager, Seismic Mitigation Program
Office of Public School Construction
707 Third Street
West Sacramento, CA 95605

Subject: **Long Beach Unified School District**
Hamilton SMP Project 51/64725-00-001
Conceptual Approval Extension Request

Dear Ms. Ly:

On March 26, 2014 the Long Beach Unified School District received a conceptual approval for the Hamilton Junior High Seismic Mitigation Program Replacement Project 51/64725-00-001.

The Long Beach Unified School District has multiple sites that received Seismic Mitigation Program DSA Phase 1 approval and was able to move four sites forward within the allotted timeframes. However, due to the number of projects in process and the costs associated with seismic mitigation, the Hamilton gymnasium project was delayed while the District managed the other projects.

The District is now ready to move this project forward and has a project architect. In an effort to expedite the project, the District is considering a re-use of plans and is expecting to have them submitted to the DSA by May 2016. The District will then begin construction and is anticipating having the new gymnasium constructed and ready for occupancy by Fall, 2018.

The Long Beach Unified School District is respectfully requesting a 24 month extension to the Hamilton SMP Replacement Project conceptual approval.

Please do not hesitate to contact me if you have any questions or require any additional information.

Regards,

Les Leahy
Business Services Administrator

Cc: School Facility Consultants

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, March 26, 2014

SCHOOL DISTRICT DATA

School District: .....LONG BEACH UNIFIED
County:.....LOS ANGELES
Application Number:..... 51/64725-00-002
School Name:.....HAMILTON JUNIOR HIGH
Total District Enrollment:.....82,256
Project Grade Level:.....6-8
Financial Hardship:.....NO

PURPOSE OF REPORT

Type of Request	State Allocation Board (Board) conceptual approval for a School Facility Program (SFP) Facility Hardship Seismic Mitigation Program replacement project.
Estimated Total Project Cost	$9,157,813
Estimated Cost to the State	$4,578,906

DESCRIPTION

Description of Health and Safety Threat	Hamilton Junior High in Long Beach, California, is located on a site that is at risk for strong ground shaking in a seismic event. The Hamilton Junior High Gymnasium, originally built in 1952, is of the most vulnerable Category 2 construction type. In 2012, LPA Inc., an integrated design firm, performed a structural evaluation of the Gymnasium and determined the structure to be at risk of collapse during a seismic event due to both ground shaking and liquefaction. The Geological Hazards Assessment prepared by Petra Geotechnical, Inc. notes, "the thickness of the non-liquefiable layers above the liquefiable zone appears to be insufficient to prevent the surface manifestation of liquefaction (such as sand boils, ground fissures, etc.)" The California Geological Survey (CGS) has concurred with the liquefaction hazard identified in the geologic hazards assessment, and the Division of the State Architect (DSA) has concurred with the structural engineer's report and the scope of work required to abate the hazards.
Scope of Project	The scope of the project includes the demolition and replacement of the Gymnasium at another location on the same site that is not subject to the liquefaction hazard.
Status of School Site	The Gymnasium is currently in use.

QUALIFYING CRITERIA

Government/State Level Concurrence	DSA has approved the gymnasium eligibility evaluation and the replacement option analysis. CGS has provided concurrence with the liquefaction hazard identified in the geologic hazards assessment.

(Continued on Page Two)

QUALIFYING CRITERIA(cont.)

Site Visit Completed by Staff	Staff has accepted the report by the industry specialist and DSA's concurrence in lieu of a site visit.
Staff Supports the District's Request	Yes

AUTHORITY

See Attachment.

RECOMMENDATIONS

1. Provide that the potential grant amount will be based on adjusted square footage calculation not to exceed 11,351 square feet "other" facilities, 5,356 square feet of toilet facilities (including gymnasium shower and locker space), and applicable site development.

2. Provide that the District must file an Approved Application for funding within 18 months of this approval, pursuant to Regulation Section 1859.82 (c).

3. Provide that this conceptual approval does not guarantee a commitment for funding by the Board. Any possible future funding will be subject to all governing laws and regulations, and the availability of funds.

4. Provide that the District's modernization eligibility will be adjusted as a result of square footage demolished and replaced pursuant to SFP Regulation Section 1859.61(l) and SFP Regulation Section 1859.82 upon receipt of an Unfunded Approval by the Board.

5. Provide that the State portion of any and all savings which may be realized from the funding of this facility hardship project must be returned to the State.

ATTACHMENT

AUTHORITY

Education Code (EC) Section 17075.10(a) states:

> A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are identified as a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event.

EC Section 17075.10(b)(2) states:

> Funds for the purpose of seismic mitigation work or facility replacement pursuant to this section shall be allocated by the board on a 50-percent state share basis from funds reserved for that purpose in any bond approved by the voters after January 1, 2006. If the board determines that the seismic mitigation work of a school building would require funding that is greater than 50 percent of the funds required to construct a new facility, the school district shall be eligible for funding to construct a new facility under this chapter.

SFP Regulation Section 1859.61(l) provides adjustments to the Modernization Baseline Eligibility as a result of classrooms demolished and replaced pursuant to Regulation Section 1859.82.

SFP Regulation Section 1859.82 states, "A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils."

SFP Regulation Section 1859.82(a)(1) provides for Facility Hardship grant funding when, "The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include…seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA…."

SFP Regulation Section 1859.82(a)(1)(A) states:

> If the request is for replacement facilities, a cost/benefit analysis must be prepared by the district and submitted to the [Office of Public School Construction] OPSC that indicates the total costs to remain in the classroom or related facility and mitigate the problem is at least 50 percent of the Current Replacement Cost of the classroom or related facility. The cost/benefit analysis may include applicable site development costs as outlined in Section 1859.76. If the cost to remain in the classroom or related facility is less than 50 percent of the Current Replacement Cost, the district may qualify for a Modernization Excessive Cost Hardship Grant for rehabilitation costs pursuant to Section 1859.83 (e) or a grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the board for seismic rehabilitation.

SFP Regulation Section 1859.82(a)(1)(B) states:

> If the request is for replacement facilities that included structural and/or seismic deficiencies, the cost/benefit analysis must also include a report from a licensed design professional identifying the minimum work necessary to obtain DSA approval. The report must contain a detailed cost estimate of the repairs. The cost/benefit analysis shall not include increased costs associated with high performance related costs or components, with the exception of those high performance components that were pre-existing in the classroom or related facility. The report and cost estimate shall be subject to review by the OPSC for conformance with the Saylor Current Construction Cost Publication and, at the OPSC's discretion, the DSA. For seismic deficiencies of the Most Vulnerable Category 2 Buildings, the report and the cost estimate for the minimum work necessary must be reviewed by the DSA.

ATTACHMENT

AUTHORITY (cont.)

SFP Regulation Section 1859.82(a)(1)(C) states:

The seismic mitigation projects must meet all of the following requirements:

1. The construction contract was executed on or after May 20, 2006;
2. The project funding provided shall be for the minimum work necessary to obtain DSA approval;
3. The building is designed for occupancy by students and staff; and
4. The DSA concurs with a report by a structural engineer, which identifies structural deficiencies that pose an unacceptable risk of injury to its occupants in a seismic event. If the unacceptable risk of injury is due to the presence of faulting, liquefaction or landslide, these hazards must be documented by a geologic hazards report prepared by an engineering geologist in accordance with California Building Code, Part 2, Chapter18, section1803A and with the concurrence of the California Geological Survey.

The structural engineer's report shall conform to the guidelines prepared by the DSA, in accordance with Education Code Section 17310.

THE BRAWLEY UNION HIGH SCHOOL DISTRICT
(58/63081-00-002) CONSENT ITEM
HAS BEEN WITHDRAWN

THE KLAMATH TRINITY JOINT UNIFIED
SCHOOL DISTRICT
(58/62901-00-001) CONSENT ITEM
HAS BEEN WITHDRAWN

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, January 27, 2016

SCHOOL DISTRICT DATA	
School District: ……...SIERRA SANDS UNIFIED	County:…….…….....KERN
Application Number:…….…… 58/73742-00-002	School Name:……BURROUGHS HIGH
Total District Enrollment:…….……..……4,944	Project Grade Level:……...…….….....9-12
Financial Hardship:……..…….……...….....NO	

PURPOSE OF REPORT

Type of Request	State Allocation Board (Board) approval for placement on the Unfunded List (Lack of AB 55 Loans) for a School Facility Program (SFP) Facility Hardship rehabilitation project.
Total Project Cost	$ 120,190
Cost to the State	$ 72,114

DESCRIPTION

Description of Health and Safety Threat	In the industry specialist's report dated November 13, 2015, it was determined that the location of a gas-fired boiler at Burroughs High School, located in Ridgecrest, California, created an immediate health and safety threat. The Division of the State Architect (DSA) has reviewed the report and concurred that the location of the boiler created a health and safety hazard. Harmful gas or combustible by-products can potentially leak from a duct and circulate as part of the air composition that is distributed throughout the building. The industry specialist's recommendation was to move the boiler to a safe location.
Scope of Project	The scope of the project includes relocating the boiler from its current location to an enclosed mezzanine mechanical room, including removing a section of an existing piping and rerouting to an existing point of connection in the air handling room.
Status of School Site	The boiler has been temporarily moved outside to a fenced-in area that is nearby the air handler room.

QUALIFYING CRITERIA

Government/State Level Concurrence	The District has obtained concurrence with the hazards reported and with the proposed minimum work for rehabilitation from DSA.
Site Visit Completed by Staff	Staff has accepted reports by the industry specialist and DSA approvals in lieu of a site visit.
Staff Supports the District's Request	Yes

(Continued on Page Two)

AUTHORITY

See Attachment A.

RECOMMENDATIONS

1. Approve the District's request for placement on the Unfunded List (Lack of AB 55 Loans) for SFP Rehabilitation funding for the relocation of the boiler for the Performing Arts building at the Burroughs High site, pursuant to the SFP Regulation Section 1859.83(e), as provided on Attachment B.

2. Provide that the State portion of any and all savings which may be realized from the funding of this facility hardship project must be returned to the State.

ATTACHMENT A

AUTHORITY

Education Code (EC) Section 17075.10(a) states:

> A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are identified as a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event.

SFP Regulation Section 1859.82 states, "A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils.."

SFP Regulation Section 1859.82(a)(1) provides for Facility Hardship grant funding when, "The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include… adverse air quality emission or other health and safety risks…."

SFP Regulation Section 1859.82(a)(1)(A) states:

> If the request is for replacement facilities, a cost/benefit analysis must be prepared by the district and submitted to the OPSC that indicates the total costs to remain in the classroom or related facility and mitigate the problem is at least 50 percent of the Current Replacement Cost of the classroom or related facility. The cost/benefit analysis may include applicable site development costs as outlined in Section 1859.76. The cost/benefit analysis shall not include increased costs associated with high performance related costs or components, with the exception of those high performance components that were pre-existing in the classroom or related facility. If the cost to remain in the classroom or related facility is less than 50 percent of the Current Replacement Cost, the district may qualify for either grant below, as applicable:
> 1. Modernization Excessive Cost Hardship Grant for Rehabilitation Costs pursuant to Section 1859.83(e), or
> 2. A grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the board for seismic rehabilitation.

SFP Regulation Section 1859.83(e) provides for:

> Excessive Cost for rehabilitation of facilities the Board has determined are a health and safety risk to the pupils pursuant to Section 1859.82(a)(1) and the cost/benefit analysis to mitigate the problem and remain in the facility is less than 50 percent of the Current Replacement Cost of the facility. The cost/benefit analysis shall not include increased costs associated with high performance related costs or components, with the exception of those high performance components that were pre-existing in the classroom or related facility. If the district qualifies, the district is eligible for funding of Rehabilitation Costs as a modernization project. …. If the Approved Application is received after April 29, 2002, the grant amount provided is 60 percent of the amount of the cost estimate required in Section 1859.82(a)(1) that has been reviewed by the OPSC and approved by the Board. An additional grant may be provided for high performance incentive pursuant to Section 1859.77.4 provided that the high performance points attained are related to the scope of the Facility Hardship project. For any project funded in whole or in part from Proposition 47 or Proposition 55 for which the construction contract is awarded prior to January 1, 2012, the district may be eligible for the funding provided to initiate and enforce a LCP as prescribed in Section 1859.78.1(a). For any project for which the construction contract is awarded on or after January 1, 2012 the grant may be adjusted in the manner prescribed in Section 1859.78.1(b) and subject to the limitations established in Section 1859.78.1(c).

SAB Meeting: **January 27, 2016** **Rehabilitation - Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No:	58/73742-00-002	**County:**	Kern
School District:	Sierra Sands Unified	**School Name:**	Burroughs High

PROJECT DATA

Type of Project:	High School	**Application Filing Basis:**	Site Specific
Pupils Assigned Under 50 Yrs: K-6:			
7-8:			
9-12:			
Non-Severe:			
Severe:			
Financial Hardship Requested:	No	**Recommended Acres:**	36.4
Alternative Education School:	No	**Existing Acres:**	45.8

ADJUSTED GRANT DATA

Rehabilitation/Mitigation	$ 72,114.00
Total State Share (60%)	72,114.00
District Share (40%)	48,076.00
Total Project Cost	$ **120,190.00**

PROJECT FINANCING

State Share	
This Project	$ 72,114.00
District Share	
Cash Contribution	48,076.00
Financial Hardship	
Total Project Cost	$ **120,190.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
Modernization/Additional Grant	**957-570**	**1D**		$ 72,114.00	$ 72,114.00
District Share					
Cash Contribution				48,076.00	
Total			$	$ **120,190.00**	$ **72,114.00**

Funding Source: Proposition 1D Bonds/2006-Nov.

Pursuant to the Board's action on March 11, 2009, this application has been approved and placed on the Unfunded List. This approval does not constitute a guarantee or commitment of future State funding.

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The District shall ensure that it is in compliance with all applicable laws, regulations and certifications it made on the program forms.

Provide that the State portion of any and all project savings realized from the funding of this Facility Hardship Program project must be returned to the State.

SCHOOL DISTRICT DATA	
School District: ……...SIERRA SANDS UNIFIED	County:…….....KERN
Application Number:…….…… 58/73742-00-003	School Name:……..MESQUITE CONTINUATION HIGH
Total District Enrollment:…….……..……4,944	Project Grade Level:……...…….…....9-12
Financial Hardship:……..…….……..….....NO	

PURPOSE OF REPORT

Type of Request	State Allocation Board (Board) approval for placement on the Unfunded List (Lack of AB 55 Loans) for a School Facility Program (SFP) Facility Hardship rehabilitation project.
Total Project Cost	$ 441,862
Cost to the State	$ 265,117

DESCRIPTION

Description of Health and Safety Threat	According to reports by the industry specialist, the Heating, Ventilation, and Air Conditioning (HVAC) Equipment, located on top of Buildings A and B at Mesquite Continuation High School, were plumbed with hard gas pipe connections. In addition, the roof framing is not adequate to support the weight of the HVACs. The Division of the State Architect (DSA) has reviewed the report and concurred that there is a safety hazard. The industry specialist's recommendation was to put new supplemental structural framing on the underside of the existing roof to sustain the HVAC weight, ensuring that the anchorage equipment is code compliant, replacing the existing platform with platforms able to accommodate the lateral load, and adding flexible instead of rigid connections to the gas line.
Scope of Project	The scope of the project consists of making modifications to the HVAC equipment and structural reinforcements in Buildings A and B.
Status of School Site	The District replaced the hard gas pipe connections with temporary flexible pipes and installed shut-off valves on all of the HVAC equipment in February 2014. It is anticipated that the rehabilitation work will start during the summer of 2016.

QUALIFYING CRITERIA

Government/State Level Concurrence	The District has obtained concurrence with the hazards reported and with the proposed minimum work for rehabilitation from DSA.

(Continued on Page Two)

QUALIFYING CRITERIA (Cont.)

Site Visit Completed by Staff	Yes
Staff Supports the District's Request	Yes

AUTHORITY

See Attachment A.

RECOMMENDATIONS

1. Approve the District's request for placement on the Unfunded List (Lack of AB 55 Loans) for SFP Rehabilitation funding for modification to the existing HVAC equipment in Buildings A and B at the Mesquite Continuation High site to the SFP Regulation Section 1859.83(e), as provided on Attachment B.

2. Provide that the State portion of any and all savings which may be realized from the funding of this facility hardship project must be returned to the State.

ATTACHMENT A

AUTHORITY

Education Code (EC) Section 17075.10(a) states:

> A school district may apply for hardship assistance in cases of extraordinary circumstances. Extraordinary circumstances may include, but are not limited to, the need to repair, reconstruct, or replace the most vulnerable school facilities that are identified as a Category 2 building, as defined in the report submitted pursuant to Section 17317, determined by the department to pose an unacceptable risk of injury to its occupants in the event of a seismic event.

SFP Regulation Section 1859.82 states, "A district is eligible for facility hardship funding to replace or construct new classrooms and related facilities if the district demonstrates there is an unmet need for pupil housing or the condition of the facilities, or the lack of facilities, is a threat to the health and safety of the pupils.."

SFP Regulation Section 1859.82(a)(1) provides for Facility Hardship grant funding when, "The facilities are needed to ensure the health and safety of the pupils if the district can demonstrate to the satisfaction of the Board that the health and safety of the pupils is at risk. Factors to be considered by the Board shall include… adverse air quality emission or other health and safety risks…."

SFP Regulation Section 1859.82(a)(1)(A) states:

> If the request is for replacement facilities, a cost/benefit analysis must be prepared by the district and submitted to the OPSC that indicates the total costs to remain in the classroom or related facility and mitigate the problem is at least 50 percent of the Current Replacement Cost of the classroom or related facility. The cost/benefit analysis may include applicable site development costs as outlined in Section 1859.76. The cost/benefit analysis shall not include increased costs associated with high performance related costs or components, with the exception of those high performance components that were pre-existing in the classroom or related facility. If the cost to remain in the classroom or related facility is less than 50 percent of the Current Replacement Cost, the district may qualify for either grant below, as applicable:
> 1. Modernization Excessive Cost Hardship Grant for Rehabilitation Costs pursuant to Section 1859.83(e), or
> 2. A grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the board for seismic rehabilitation.

SFP Regulation Section 1859.83(e) provides for:

> Excessive Cost for rehabilitation of facilities the Board has determined are a health and safety risk to the pupils pursuant to Section 1859.82(a)(1) and the cost/benefit analysis to mitigate the problem and remain in the facility is less than 50 percent of the Current Replacement Cost of the facility. The cost/benefit analysis shall not include increased costs associated with high performance related costs or components, with the exception of those high performance components that were pre-existing in the classroom or related facility. If the district qualifies, the district is eligible for funding of Rehabilitation Costs as a modernization project. …. If the Approved Application is received after April 29, 2002, the grant amount provided is 60 percent of the amount of the cost estimate required in Section 1859.82(a)(1) that has been reviewed by the OPSC and approved by the Board. An additional grant may be provided for high performance incentive pursuant to Section 1859.77.4 provided that the high performance points attained are related to the scope of the Facility Hardship project. For any project funded in whole or in part from Proposition 47 or Proposition 55 for which the construction contract is awarded prior to January 1, 2012, the district may be eligible for the funding provided to initiate and enforce a LCP as prescribed in Section 1859.78.1(a). For any project for which the construction contract is awarded on or after January 1, 2012 the grant may be adjusted in the manner prescribed in Section 1859.78.1(b) and subject to the limitations established in Section 1859.78.1(c).

SAB Meeting: **January 27, 2016** **Rehabilitation - Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No:	58/73742-00-003	**County:**	Kern
School District:	Sierra Sands Unified	**School Name:**	Mesquite Continuation High

PROJECT DATA

Type of Project:	High School	**Application Filing Basis:**	Site Specific
Pupils Assigned Under 50 Yrs: K-6:			
7-8:			
9-12:			
Non-Severe:			
Severe:			
Financial Hardship Requested:	No	**Recommended Acres:**	2.9
Alternative Education School:	No	**Existing Acres:**	15

ADJUSTED GRANT DATA

Rehabilitation/Mitigation	$ 265,117.00
Total State Share (60%)	265,117.00
District Share (40%)	176,745.00
Total Project Cost	$ **441,862.00**

PROJECT FINANCING

State Share	
This Project	$ 265,117.00
District Share	
Cash Contribution	176,745.00
Financial Hardship	
Total Project Cost	$ **441,862.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
Modernization/Additional Grant	**957-570**	**1D**		$ 265,117.00	$ 265,117.00
District Share					
Cash Contribution				176,745.00	
Total			$	$ **441,862.00**	$ **265,117.00**

Funding Source: Proposition 1D Bonds/2006-Nov.

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