Resolution: 2016-10-06

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 October 17, 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 October 17, 2016 at Sacramento, California.

Lisa Silverman
Executive Officer
State Allocation Board

SCHOOL DISTRICT DATA

Application No:	58/63610-00-002	**County:**	Kern
School District:	Maple Elementary	**School Name:**	Maple Elementary

PROJECT DATA

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

ADJUSTED GRANT DATA

Estimated Total Grant

Seismic Rehabilitation	$ 1,035,865.00
Project Assistance	6,504.00
Total State Share (50%)	1,042,369.00
District Share (50%)	1,042,369.00
Total Project Cost	$ **2,084,738.00**

PROJECT FINANCING

Separate Design Grant

Total Design (40% of Grant)	$ 416,948.00
Design State Share (50%)	208,474.00
Design District Share (50%)	208,474.00
District Cash Contribution	
Financial Hardship	208,474.00
Total Project Cost	$ **416,948.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	State Apportionment This Action
State Share					
New Construction/Additional Grant	**057-505**	**1D**	$ 208,474.00		
District Share					
Cash Contribution			14,040.00	$ (14,040.00)	
Financial Hardship	**057-505**	**1D**	194,434.00	14,040.00	$ 14,040.00
Total			$ **416,948.00**	$ **0**	$ **14,040.00**

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

Errors and Omissions: This project is amended to correct the Financial Hardship grant previously apportioned at the August 17, 2016 State Allocation Board meeting. It has been determined that the District does not have available funds to contribute to the project; therefore, the Financial Hardship grant has been increased by $14,040.

Please be advised that Labor Code (LC) Section 1773.3, as amended by Senate Bill 854, Chapter 28, Statutes of 2014, requires school districts that have School Facility Program SFP projects with an initial public works contract awarded on or after January 1, 2012, to notify the Department of Industrial Relations (DIR). The DIR must provide prevailing wage monitoring services for all such projects, except in the cases of: (1) the district operates a DIR-approved internal wage monitoring program; or (2) the district has entered into a collective bargaining agreement that includes the requirements specified in LC Section 1771.4(b)(2).

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 as of November 18, 2015, is $5 million or less.

Amounts shown for financial hardship assistance are subject to adjustment as a result of a review of the district's financial records pursuant to Regulation Section 1859.81(a) at the time of the apportionment.

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 Seismic Mitigation Program project must be returned to the State.

SCHOOL DISTRICT DATA

Application Number:……50/73783-00-003
School District:…..……Black Oak Mine Unified
County:……El Dorado
School Name:……...Northside Elementary
Financial Hardship……Yes
Date of Financial Hardship Status:……....July 21, 2010
Qualifying Financial Hardship Criteria: SFP Regulation 1859.81(c)(2).

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 $66,773. 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 $66,773.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 455,600	$ (33,387)	$ 422,213
SFP Service Site	24,598	0	24,598
SFP Utilities	10,698	0	10,698
SFP Small School	54,672	0	54,672
SFP Financial Hardship	238,794	(33,386)	205,408
SFP Project Assistance	5,498	0	5,498
SFP Fire Detection/Alarm	550	0	550
Labor Compliance Program	8,826	0	8,826
Total State Apportionment	$ 799,236	$ (66,773)	$ 732,463
Financing			
District Contribution	$ 321,648	$ 0	$ 321,648
State (SFP)	560,442	(33,387)	527,055
Financial Hardship (SFP)	238,794	(33,386)	205,408
Total Project Costs	$ 1,120,884	$ (66,773)	$ 1,054,111

RECOMMENDATIONS

1. Approve a decrease of $66,773 in the total project cost from $1,120,884 to $1,054,111.
2. Approve a decrease of $33,387 in the State Apportionment [Bonds/2002-Nov.; 047-500] from $560,442 to $527,055.
3. Approve a decrease of $33,386 in the Financial Hardship Contribution [Bonds/2002-Nov.; 047-500] from $238,794 to $205,408.
4. Require the District to return State funds in the amount of $66,773.

SCHOOL DISTRICT DATA

Application Number:……50/73783-00-005
School District:…..……Black Oak Mine Unified
County:……El Dorado
School Name:……...Northside Elementary
Financial Hardship……Yes
Date of Financial Hardship Status:……....July 21, 2010
Qualifying Financial Hardship Criteria: SFP Regulation 1859.81(c)(2).

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 $201,546. 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 $201,546.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 215,724.50	$ (100,773)	$ 114,951.50
SFP Service Site	5,470	0	5,470
SFP Financial Hardship	231,895	(100,773)	131,122
SFP Project Assistance	2,380.50	0	2,380.50
SFP Fire Detection/Alarm	320	0	320
Labor Compliance Program	8,000	0	8,000
Total State Apportionment	$ 463,790	$ (201,546)	$ 262,244
Financing			
State (SFP)	231,895	(100,773)	131,122
Financial Hardship (SFP)	231,895	(100,773)	131,122
Total Project Costs	$ 463,790	$ (201,546)	$ 262,244

RECOMMENDATIONS

1. Approve a decrease of $201,546 in the total project cost from $463,790 to $262,244.
2. Approve a decrease of $100,773 in the State Apportionment [Bonds/2004-Mar.; 055-500] from $231,895 to $131,122.
3. Approve a decrease of $100,773 in the Financial Hardship Contribution [Bonds/2004-Mar.; 055-500] from $231,895 to $131,122.
4. Require the District to return State funds in the amount of $201,546.

SCHOOL DISTRICT DATA

Application Number:……..50/64733-00-129 School District:…..……..Los Angeles Unified

County:…….……..……Los Angeles School Name:……..South Region Elementary #2

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. The District incurred additional eligible expenditures per SFP Regulation Sections 1859.74 and 1859.106 and may receive additional site acquisition, site other, and Department of Toxic Substances Control (DTSC) funding in the amount of $1,950,402. The District was over-funded for relocation assistance and hazardous waste in the amount of $5,744,642. The District has concurred with these findings and agrees to return the State funds in the amount of $1,897,120.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 9,773,662	$ 0	$ 9,773,662
SFP Multi Level Construction	1,113,714	0	1,113,714
SFP Site Acquistion	7,761,885	906,052	8,667,937
SFP Site Relocation	1,448,659	(688,973)	759,686
SFP Site Other	310,475	36,242	346,717
SFP Service Site	3,133,831	0	3,133,831
SFP General Site	720,132	0	720,132
SFP Offsite	599,203	0	599,203
SFP Utilities	39,626	0	39,626
SFP Urban Security	5,580,038	0	5,580,038
SFP Site DTSC Fee	48,900	32,907	81,807
SFP Site Hazardous Removal	6,336,484	(2,183,348)	4,153,136
SFP Fire Detection/Alarm	14,372	0	14,372
SFP Fire Sprinklers	183,554	0	183,554
SFP High Performance	207,202	0	207,202
SFP Labor Compliance Program	98,734	0	98,734
Total State Apportionment	$ 37,370,471	$ (1,897,120)	$ 35,473,351
Financing			
District Contribution	$ 37,370,471	$ (1,897,120)	$ 35,473,351
State (SFP)	37,370,471	(1,897,120)	35,473,351
Total Project Costs	$ 74,740,942	$ (3,794,240)	$ 70,946,702

RECOMMENDATIONS

1. Approve a decrease of $3,794,240 in the total project cost from $74,740,942 to $70,946,702.
2. Approve a decrease of $1,897,120 in the District Contribution from $37,370,471 to 35,473,351.
3. Approve a decrease of $1,897,120 in the State Apportionment [Bonds/2004-Mar.; 055-500] from $37,370,471 to $35,473,351.
4. Require the District to return State funds in the amount of $1,897,120.

STATE ALLOCATION BOARD
APPROVAL ❖ ❖ ❖ October 17, 2016

SCHOOL DISTRICT DATA

Application Number:……..50/64733-00-137 School District:…..……Los Angeles Unified

County:…….……..……Los Angeles School Name:……Central Region Elementary #17

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. The District incurred additional eligible expenditures per SFP Regulation Sections 1859.74 and 1859.106 and may receive additional site acquisition, site other, relocation assistance, Department of Toxic Substances Control (DTSC), and hazardous waste funding in the amount of $181,610. Per SFP Regulation Section 1859.106(d), "Any adjustments made pursuant to this Section will be made only if sufficient bond authority is available for the adjustment. If an Unfunded List has been created by the Board, then any adjustments made pursuant to this Section will be placed on the Unfunded List." If sufficient bond authority becomes available in the future, this project shall be funded in order of the receipt of an Approved Application for funding per SFP Regulation 1859.93.1. The District has concurred with these findings and is eligible for additional funding in the amount of $90,805.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 6,777,300	$ 0	$ 6,777,300
SFP Multi Level Construction	768,993	0	768,993
SFP Site Acquistion	5,345,162	51,594	5,396,756
SFP Site Relocation	917,922	(7,516)	910,406
SFP Site Other	213,806	2,063	215,869
SFP Service Site	2,097,213	0	2,097,213
SFP General Site	503,316	0	503,316
SFP Offsite	207,478	0	207,478
SFP Utilities	97,649	0	97,649
SFP Urban Security	3,663,876	0	3,663,876
SFP Site DTSC Fee	5,488	18,719	24,207
SFP Site Hazardous Removal	625,116	25,945	651,061
SFP Fire Detection/Alarm	10,150	0	10,150
SFP Fire Sprinklers	128,325	0	128,325
SFP High Performance	175,532	0	175,532
SFP Labor Compliance Program	52,274	0	52,274
Total State Apportionment	$ 21,589,600	$ 90,805	$ 21,680,405
Financing			
District Contribution	$ 21,589,600	$ 90,805	$ 21,680,405
State (SFP)	21,589,600	90,805	21,680,405
Total Project Costs	$ 43,179,200	$ 181,610	$ 43,360,810

RECOMMENDATIONS

1. Approve an increase of $181,610 in the total project cost from $43,179,200 to $43,360,810.
2. Approve an increase of $90,805 in the District Contribution from $21,589,600 to $21,680,405.
3. Approve an increase of $90,805 in the State Apportionment from $21,589,600 to $21,680,405.
4. Approve and place this increase on the Unfunded List for this project per School Facility Program Regulation Section 1859.106(d). This approval does not constitute a guarantee or commitment of future State funding and should not be relied on in any manner as any kind of representation or indication of future State funding. The State cautions any kind of reliance on the fact that an application is placed on this list.

STATE ALLOCATION BOARD
APPROVAL ❖ ❖ ❖ October 17, 2016

SCHOOL DISTRICT DATA

Application Number:……..50/64733-00-142 School District:…..……Los Angeles Unified

County:……..……Los Angeles School Name:……..……South Region Elementary #1

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. The District incurred additional eligible expenditures per SFP Regulation Sections 1859.74 and 1859.106 and may receive additional site acquisition, site other, Department of Toxic Substances Control (DTSC), hazardous waste, and Site Relocation funding in the amount of $133,471. Per SFP Regulation Section 1859.106(d), "Any adjustments made pursuant to this Section will be made only if sufficient bond authority is available for the adjustment. If an Unfunded List has been created by the Board, then any adjustments made pursuant to this Section will be placed on the Unfunded List." If sufficient bond authority becomes available in the future, this project shall be funded in order of the receipt of an Approved Application for funding per SFP Regulation 1859.93.1. The District has concurred with these findings and is eligible for additional funding in the amount of $66,735.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 9,815,400	$ 0	$ 9,815,400
SFP Multi Level Construction	1,113,714	0	1,113,714
SFP Site Acquistion	6,746,995	8,875	6,755,870
SFP Site Relocation	386,920	1,095	388,015
SFP Site Other	269,880	355	270,235
SFP Service Site	2,918,381	0	2,918,381
SFP General Site	727,821	0	727,821
SFP Offsite	303,026	0	303,026
SFP Utilities	144,381	0	144,381
SFP Urban Security	5,168,966	0	5,168,966
SFP Site DTSC Fee	29,420	2,399	31,819
SFP Site Hazardous Removal	506,303	54,011	560,314
SFP Fire Detection/Alarm	14,700	0	14,700
SFP Fire Sprinklers	185,850	0	185,850
SFP High Performance	216,920	0	216,920
SFP Labor Compliance Program	95,558	0	95,558
Total State Apportionment	$ 28,644,235	$ 66,735	$ 28,710,970
Financing			
District Contribution	$ 28,644,235	$ 66,735	$ 28,710,970
State (SFP)	28,644,235	66,735	28,710,970
Total Project Costs	$ 57,288,470	$ 133,470	$ 57,421,940

RECOMMENDATIONS

1. Approve an increase of $133,470 in the total project cost from $57,288,470 to $57,421,940.
2. Approve an increase of $66,735 in the District Contribution from $28,644,235 to $28,710,970.
3. Approve an increase of $66,735 in the State Apportionment from $28,644,235 to $28,710,970.
4. Approve and place this increase on the Unfunded List for this project per School Facility Program Regulation Section 1859.106(d). This approval does not constitute a guarantee or commitment of future State funding and should not be relied on in any manner as any kind of representation or indication of future State funding. The State cautions any kind of reliance on the fact that an application is placed on this list.

STATE ALLOCATION BOARD
APPROVAL ❖ ❖ ❖ October 17, 2016

SCHOOL DISTRICT DATA

Application Number:…….50/10330-99-002

School District:…..…Riverside County Office of Education

County:……..……..……..Riverside

School Name:……Arlington Regional Learning Center

Financial Hardship……..……Yes

Date of Financial Hardship status:……...April 15, 2004

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 $1,864,896. 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.". Further, the District incurred additional eligible expenditures per SFP Regulation Section 1859.106 and may receive additional Department of Toxic Substances Control (DTSC) costs in the amount of $2,471. The District has concurred with these findings and agrees to return the State funds in the amount of $1,864,896 and is eligible for an additional apportionment in the amount of $2,471. The net amount to be returned to the State is $1,862,425.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 2,455,464	$ (932,448)	$ 1,523,016
SFP Multi Level Construction	294,656	0	294,656
SFP Site Acquisition	750,000	0	750,000
SFP Site Other	30,000	0	30,000
SFP Service Site	154,091	0	154,091
SFP Offsite	32,755	0	32,755
SFP Utilities	69,370	0	69,370
SFP New School	827,500	0	827,500
SFP Urban Security	1,641,482	0	1,641,482
SFP Financial Hardship	6,337,748	(931,212)	5,406,536
SFP Site DTSC Fee	6,733	1,235	7,968
SFP Fire Detection/Alarm	5,502	0	5,502
SFP Fire Sprinklers	41,658	0	41,658
SFP Labor Compliance Program	28,537	0	28,537
Total State Apportionment	$ 12,675,496	$ (1,862,425)	$ 10,813,071
Financing			
State (SFP)	$ 6,337,748	$ (931,213)	$ 5,406,535
Financial Hardship (SFP)	6,337,748	(931,212)	5,406,536
Total Project Costs	$ 12,675,496	$ (1,862,425)	$ 10,813,071

RECOMMENDATIONS

1. Approve a decrease of $1,862,425 in the total project cost from $12,675,496 to $10,813,071.
2. Approve a decrease of $931,213 in the State Apportionment [Bonds/2004-Mar; 055-500] from $6,337,748 to $5,406,535.
3. Approve a decrease of $931,212 in the Financial Hardship Contribution [Bonds/1998-Nov.; 119-612] from $6,337,748 to $5,406,536.
4. Require the District to return State funds in the amount of $1,862,425.

SCHOOL DISTRICT DATA

Application Number:……..55/67355-00-001 School District:……..……..……Galt Joint Union High

County:…….……Sacramento School Name:…..……..……...Liberty Ranch 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 $360,649. 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 has agreed to return State funds in the amount of $180,325.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Construction	$ 2,671,713	$ (25,873)	$ 2,645,840
SFP Service Site	173,835	0	173,835
SFP CTE Equipment	154,452	(154,452)	0
Total State Apportionment	$ 3,000,000	$ (180,325)	$ 2,819,675
Financing			
District Contribution	$ 3,000,000	$ (180,324)	$ 2,819,676
State (SFP)	3,000,000	(180,325)	2,819,675
Total Project Costs	$ 6,000,000	$ (360,649)	$ 5,639,351

RECOMMENDATIONS

1. Approve a decrease of $360,649 in the total project cost from $6,000,000 to $5,639,351.
2. Approve a decrease of $180,324 in the District Contribution from $3,000,000 to $2,819,676.
3. Approve a decrease of $180,325 in the State Apportionment [Bonds/2006-Nov.; 057-600] from $3,000,000 to $2,819,675.
4. Require the District to return State funds in the amount of $180,325.

SCHOOL DISTRICT DATA

Application Number:……57/73783-00-006
School District:…..……Black Oak Mine Unified
County:……El Dorado
School Name:……...Northside Elementary
Financial Hardship……Yes
Date of Financial Hardship Status:……....July 21, 2010
Qualifying Financial Hardship Criteria: SFP Regulation 1859.81(c)(2).

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 $635,379. 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 $635,379.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP New Modernization	$ 1,384,967.00	$ (381,227)	$ 1,003,740
SFP Financial Hardship	892,335	(254,152)	638,183
Labor Compliance Program	3,413	0	3,413
Total State Apportionment	$ 2,280,715	$ (635,379)	$ 1,645,336
Financing			
District Contribution	$ 33,251	$ 0	$ 33,251
State (SFP)	1,388,380	(381,227)	1,007,153
Financial Hardship (SFP)	892,335	(254,152)	638,183
Total Project Costs	$ 2,313,966	$ (635,379)	$ 1,678,587

RECOMMENDATIONS

1. Approve a decrease of $635,379 in the total project cost from $2,313,966 to $1,678,587.
2. Approve a decrease of $381,227in the State Apportionment [Bonds/2006-Nov.; 057-570] from $1,388,380 to $1,007,153.
3. Approve a decrease of $254,152 in the Financial Hardship Contribution [Bonds/2006-Nov.; 057-570] from $892,335 to $638,183.
4. Require the District to return State funds in the amount of $635,379.

SCHOOL DISTRICT DATA

Application Number:…….59/40360-00-004 School District:…...……..…Metro Ed. District JPA ROC

County:……...……..…Santa Clara School Name:……Central County Occupational Center

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 $20,864. 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 the State funds in the amount of $10,432.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP Modernation	$ 1,404,795	$ (10,432)	$ 1,394,363
Total State Apportionment	$ 1,404,795	$ (10,432)	$ 1,394,363
Financing			
State (SFP)	$ 1,404,795	$ (10,432)	$ 1,394,363
District Contribution	1,404,795	(10,432)	1,394,363
Total Project Costs	$ 2,809,590	$ (20,864)	$ 2,788,726

RECOMMENDATIONS

1. Approve a decrease of $20,864 in the total project cost from $2,809,590 to $2,788,726.
2. Approve a decrease of $10,432 in the State Apportionment [Bonds/2006-Nov.; 057-600] from $1,404,795 to $1,394,363.
3. Approve a decrease of $10,432 in the District Contribution from $1,404,795 to $1,394,363.
4. Require the District to return State funds in the amount of $10,432.

SCHOOL DISTRICT DATA

Application Number:…….59/40360-00-014 School District:…...……..…Metro Ed. District JPA ROC

County:……...……..…Santa Clara School Name:……Central County Occupational Center

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 $42,671. 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 the State funds in the amount of $21,336.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP Modernization	$ 479,605	$ (21,336)	$ 458,269
Total State Apportionment	$ 479,605	$ (21,336)	$ 458,269
Financing			
State (SFP)	$ 479,605	$ (21,336)	$ 458,269
District Contribution	479,605	(21,335)	458,270
Total Project Costs	$ 959,210	$ (42,671)	$ 916,539

RECOMMENDATIONS

1. Approve a decrease of $42,671 in the total project cost from $959,210 to $916,539.
2. Approve a decrease of $21,336 in the State Apportionment [Bonds/2006–Nov.; 057-600] from $479,605 to $458,269.
3. Approve a decrease of $21,335 in the District Contribution from $479,605 to $458,270.
4. Require the District to return State funds in the amount of $21,336.

SCHOOL DISTRICT DATA

Application Number:…….59/40360-00-015 School District:…...……..…Metro Ed. District JPA ROC

County:……...……..…Santa Clara School Name:……Central County Occupational Center

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 $199,841. 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 the State funds in the amount of $99,921.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP CTE Equipment	$ 388,867	$ (99,921)	$ 288,946
Total State Apportionment	$ 388,867	$ (99,921)	$ 288,946
Financing			
State (SFP)	$ 388,867	$ (99,921)	$ 288,946
District Contribution	388,867	(99,920)	288,947
Total Project Costs	$ 777,734	$ (199,841)	$ 577,893

RECOMMENDATIONS

1. Approve a decrease of $199,841 in the total project cost from $777,734 to $577,893.
2. Approve a decrease of $99,921 in the State Apportionment [Bonds/2006-Nov.; 057-600] from $388,867 to $288,946.
3. Approve a decrease of $99,920 in the District Contribution from $388,867 to $288,947.
4. Require the District to return State funds in the amount of $99,921.

SCHOOL DISTRICT DATA

Application Number:…….59/70920-00-003 School District:…..……..……Santa Rosa High

County:……..……..……..Sonoma School Name:…..……..……Allen (Elsie) 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 $751,984 and interest earned of $0.10. 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 has returned the State funds in the amount of $375,992.10.

Detail of Final Cost & Financing

Budget Item	Currently Approved	Required Change	Revised Approval
SFP Modernization	$ 1,131,263	$ (375,992)	$ 755,271
SFP CTE Equipment	126,730	0	126,730
Total State Apportionment	$ 1,257,993	$ (375,992)	$ 882,001
Financing			
District Contribution	$ 1,257,993	$ (375,992)	$ 882,001
State (SFP)	1,257,993	(375,992)	882,001
Total Project Costs	$ 2,515,986	$ (751,984)	$ 1,764,002

RECOMMENDATIONS

1. Approve a decrease of $751,984 in the total project cost from $2,515,986 to $1,764,002.
2. Approve a decrease of $375,992 in the District Contribution from $1,257,993 to $882,001.
3. Approve a decrease of $375,992 in the State Apportionment [Bonds/2006-Nov.; 057-600] from $1,257,993 to $882,001.
4. Recognize the District has returned State funds in the amount of $375,992.
5. Recognize the District has returned interest in the amount of $0.10.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

SCHOOL DISTRICT DATA	
School District: ..... SOMIS UNION	County:..... VENTURA
Application Number:..... 51/72611-00-001	School Name: ..... SOMIS ELEMENTARY
Total District Enrollment: 221	Project Grade Level: K-8
Financial Hardship: ..... NO	

PURPOSE OF REPORT

To present the District's request for an extension of time to submit a complete School Facility Program (SFP) Facility Hardship replacement funding application for the previously approved and extended conceptual approval for abandonment and replacement of site and facilities at Somis Elementary School.

DESCRIPTION

The District received a conceptual approval for abandonment and replacement of site and facilities under the SFP Facility Hardship Regulations at the March 2013 State Allocation Board (Board) meeting. The approval was limited to a maximum of 253 pupil grants for the replacement school, plus site acquisition costs consistent with the California Department of Education (CDE) recommended site size. This approval was extended for 18 months at the February 2015 Board meeting. The District is requesting a second time extension to this deadline of an additional 24 months through September 20, 2018.

AUTHORITY

See Attachment A1.

BACKGROUND

On August 18, 2016, the Office of Public School Construction (OPSC) received the District's request for extension of a conceptual approval for the abandonment and replacement of the site and facilities at Somis Elementary School (see Attachment A2). This project was originally granted conceptual approval at the March 2013 Board meeting due to hazards posed by high pressure gas lines.

The District had originally been required to submit a funding application by March 20, 2015, but unanticipated land acquisition issues added significantly to the time required for site acquisition, delaying the timeline for the submittal of a funding application. The District received an 18-month extension to the conceptual approval at the February 2015 Board meeting (see Attachment A3).

STAFF ANALYSIS/STATEMENTS

As part of its extension request, the District submitted the following timeline for project completion:

- As of September 2016, the District has completed the purchase of the replacement site and obtained CDE and Department of Toxic Substance Control (DTSC) site approvals.
- Construction plans have been completed and submitted to the Division of the State Architect (DSA) for review.

(Continued on Page Two)

STAFF ANALYSIS/STATEMENTS (cont.)

- By February of 2017 the District anticipates that they should have DSA plan approval and be able to submit a funding application.

Although the District anticipates that it will have the plan approval by February 2017, it is requesting the 24-month extension through September 20, 2018, to allow for flexibility in acquiring the funds required for the District share so that the District will be in a position to commence construction within 90 days of receiving an Apportionment.

Staff has determined that this project continues to meet the qualifying criteria for the Facility Hardship Program. Therefore, Staff supports the District's request for a 24-month time extension to September 20, 2018 provided that all of the original provisions and board action from the District's original approval from March 20, 2013 remain in full effect.

RECOMMENDATIONS

1. Grant the District a 24-month time extension from September 20, 2016 until September 20, 2018 for the submittal of a complete funding application for the Somis Elementary School replacement project.

2. Provide that all other provisions contained in the District's original approval and Board action from March 20, 2013 shall remain in full effect, as shown on Attachment A3.

ATTACHMENT A1

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 1859.61(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 the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk.

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 1859.82 also states, "If the district qualifies for a new or replacement school…the district is eligible for a New Construction Grant as a new construction project for the lesser of the pupils housed in the replaced facility based on loading standards pursuant to Education Code Section 17071.25(a) or the latest CBEDS enrollment at the site."

SFP Regulation Section 1859.82 further states:

> 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 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.

AUTHORITY (cont.)

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 1859.95.1(a) states:

When the Board has Insufficient Bond Authority to apportion the School District's funding request on the Form SAB 50-04, the following will apply:

(1) The Office of Public School Construction (OPSC) will receive and determine if the Form SAB 50-04 is an Approved Application. To be placed on the Applications Received Beyond Bond Authority List, the Approved Application for funding shall be accompanied by a school board resolution, as specified in paragraph (b) of this Section. The OPSC will not determine if the Approved Application is ready for Apportionment.

SOMIS UNION SCHOOL DISTRICT
5268 NORTH STREET, SOMIS, CA 93066
(805) 386-5711 (OFFICE) (805) 386-4596 (FAX)

Board of Education
Scott Mier
Patricia Ehrhardt
Bob Fulkerson
Lizette Cuevas-Gonzales
Michelle Quintero
Colleen Robertson, Ed.D. Superintendent/Principal

August 6, 2016

Ms. Lisa Silverman, Executive Officer
State Allocation Board and Office of Local Assistance
707 Third Street
West Sacramento, CA 95605

Dear Ms. Silverman,

On March 20, 2013, the State Allocation Board approved a conceptual Facility Hardship application from the Somis Union School District for the replacement of the Somis Elementary School. As you may recall, the Board's action was based on extensive evidence provided by the District that three high pressure, natural gas, transmission pipelines, plus a crude oil pipeline on or adjacent to the school site posed an unacceptable health hazard to our children and faculty. Immediately following that approval the District began the development of the new replacement school including the identification and acquisition of a new site.

On February 24, 2015 the State Allocation Board approved an extension of the conceptual Facility Hardship application. The deadline to submit a completed funding application has been extended to September 20, 2016.

The District is grateful for the assistance of the Office of Public School Construction (OPSC) and the State Allocation Board (SAB) in addressing this critical need. I am pleased to report that many of the key project development tasks are now complete, with the remaining requirements needed for a new construction funding application well underway. However, the reality of finding available property for a school in our densely agricultural community and mitigating the attendant land use issues has been formidable and extremely time consuming. To complicate matters further, we have been dealing with two separate landowners. In addition to acquisition and entitlement delays the District requires additional time to procure private and public funding. The cost of the school exceeds the bond funds, developer fees and anticipated Facility Hardship funding. The additional funds required to bridge the shortfall should be identified and committed before the Facility Hardship funding application is filed with

ATTACHMENT A2

OPSC and SAB. For these reasons, I must once again request the help of your office and the State Allocation Board.

Our project manager and our project design professionals now project an estimated date for obtaining final plan approvals from the Division of the State Architect to be February 2017. As our current Facility Hardship conditional approval requires the submittal of a complete funding application to the OPSC by September 20, 2016 - and DSA approval and complete project funding are prerequisites to that filing - it is obvious that a time extension is necessary. To that end, I am submitting with this letter a formal request to the SAB for a twenty four month extension of the extended approval to September 20, 2018. In support of the request, and as evidence that the District has taken the conditions of the SAB Facility Hardship approval very seriously, I have included detailed information regarding the District's project development activities over the last five years. I hope that the OPSC and the SAB will agree that the District has made every possible effort to move the project forward in an expeditious manner.

Please find the following in support of our request:

- SAB Form 189 School District Appeal Request
- Attachment A to Form 189: Facility Hardship at Somis Elementary School
- Attachment B: Narrative Timeline
- Attachment C: SUSD Board CEQA & Acquisition Resolutions
- Attachment D: Somis School Site Submitted to DSA updated drawings
- Attachment E: CDE Site Approval & Preliminary Plan Approval Letters

On behalf of the Somis Union School District, our Board of Trustees, our students and our community, I thank you in advance for your assistance with our request. If you have any questions or would like to discuss this matter further, please feel free to contact me at any time.

Sincerely,

Colleen Robertson Ed.D
Superintendent/Principal
Somis Union School District
crobertson@somisusd.org
(805) 386-8258

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ATTACHMENT A2

Attachment A to Form SAB 189, *School District Appeal Request*

Somis Union School District

Facility Hardship at Somis Elementary School

Application 51/72611-00-001

Purpose of Request:

To request that the State Allocation Board grant a 24 month extension to the Somis Elementary conceptual Facility Hardship approval of March 20, 2013 and extension of February 24, 2015

Description:

Background:

On March 20, 2013, after considering extensive evidence provided by the Somis Union School District (District) that three natural gas pipelines adjacent to or bisecting the existing Somis Elementary School playground represented a health and safety risk to students, the State Allocation Board (SAB) granted a conceptual approval for the abandonment and replacement of the school on a new site. On February 24, 2015 SAB granted an extension of that conceptual approval. As a condition of the conceptual approval extension, the SAB required the District to ". . . file a complete SFP new construction funding application for the facility hardship funding application within 18 months. . . "

Actions Taken and Current Status of the Project:

A condensed history of the events leading to the decision to replace the Somis Elementary School as well as the many project development activities that have occurred to date is provided in Attachment B, *"School Development Timeline."* This same listing of events is shown in a slightly abbreviated graphical format in Attachment C, *"SUSD Site Historical Timeline."* Together, Attachments B and C describe the proactive and on-going response by the School Board and Administration of the District to the threat posed by the pipelines, as well as the vigorous pursuit of the development of the replacement school following the SAB Facility Hardship approval.

Today the development of the new school project is well underway with significant progress completed on numerous required tasks, reviews and approvals. A recap of the project milestones and actions delineated in Attachments B and C follows:

- Final site
  - Final site plan approved by the District
  - CDE review of SFPD 4.0 and 4.02, 4.07 and Final Site & Preliminary Plan Approval Letters
  - 10 acre original site and 5.85 acre agricultural buffer and access property have been purchased by the District
  - Division of Toxic Substance Control (DTSC) approval on original 10 acre and 5.85 acre parcel for unrestricted use finalized
  - EIR Certified
  - Schematic Design and Design Development complete

- Project Planning and Design in progress
    - Construction drawings are 100% and submitted to DSA
    - Pre-construction contractor providing updated cost estimate
    - Construction documents in development

Extension Request

Overview: The State Allocation Board conceptual Facility Hardship approval allotted two years for the preparation and submission of a School Facilities Program (SFP) new construction funding application to the Office of Public School Construction (OPSC). As shown in the supporting materials included with this request, the District has diligently pursued the completion of the many requirements necessary for a completed application, with many key tasks nearly or entirely completed. However the unusual nature of the hazard confronting the District combined with the realities of site acquisition in an agricultural community have contributed significantly to time and resource demands. For the reasons briefly described below, the District requests a twenty four month time extension to September 20, 2018.

Emergency Safety Hazard: Even after the discovery and identification of the hazard on the school site created by the gas pipelines and the subsequent SAB approval of the Facility Hardship, the tasks related to the District's obligations to the parents and students continued:

- Continued meetings with Utility regarding gas line testing and safety
- Review of options for new school including prefabricated buildings
- Community outreach meetings
- Development of timelines and budget for new school

***Site Acquisition*:** By August of 2013, the District had identified three potential sites for the replacement school and had submitted them to the CDE for preliminary assessment. Only one 12 acre site was found viable. It consisted of a 10 acre parcel owned by the LA Archdiocese and an adjoining two acre parcel which was an unused portion of a larger 5 acre parcel owned by a church. The purchase of the parcels and the disposition of the existing site were under discussion with District legal counsel immediately thereafter. Based on the identification of an adequate site for the replacement school, a program manager was hired, a civil engineer was engaged and RFQs for CEQA consulting services and Architectural services were issued. By February 2013 interviews with qualified architectural firms were being conducted. (Attachment D, *Somis School Preliminary Site Plan* shows the total site with early preliminary planning of the school. The two acre parcel is the protruding area with the large parking lot on the North side of the site.)

In March 2014, the owners of the 2 acre parcel unexpectedly refused access to the site and indicated an unwillingness to sell. This event resulted in an inadequate site size (see the following paragraph regarding agricultural buffer requirements) and negated or altered all of the preliminary planning work and much of the CDE preliminary site approval. Also adversely affected were CEQA and DTSC activities. In short, the loss of the 2 acre adjoining site was a major setback to the project development timeline.

Agricultural land use issues: In the wake of the loss of the 2 acre site, the District began to explore other options for additional acreage. At approximately the same time, the need for a buffer between the school site and adjacent land used for agricultural materialized. A 150 foot buffer was negotiated on two sides of the site. The buffer reduced the available 10 acre parcel to slightly less than six acres, which was totally inadequate for the proposed school. As a result, the District approached the owner of the adjacent farm land about the possibility of acquiring additional acreage. Discussions with the land owners continued into August and September 2014. DTSC and CDE were contacted for additional or revised approvals related to the proposed acreage. A Preliminary Endangerment Assessment (PEA) grant was obtained from DTSC for the now identified 5.85 additional acres. The negotiations with the property owners was difficult, complicated issues that were addressed included drainage, farm access, septic tank locations, water allocation and purchase price. There were three decision makers that had to be convinced to sell this property to the school. The Purchase and Sale Agreement was signed December 2015 and included a 10% purchase price reduction in the form of a donation to the District. The farm access easement required the participation of the adjoining property owner Somis Community Church and the consent of their two lenders to subordinate their loans to the easement deed. (Attachment E *Proposed Somis School Site* shows the entire final site for the replacement school which is composed of the original 10 acre site plus the added 5.85 acres of agricultural land. The required buffer zone is also shown.)

Proposed schedule for completion and filing a complete funding application:
With the finalization of the site configuration, including the important buffer zone negotiations with Ventura County, the District has been able to move toward the completion of the project construction documents as well as bring to a close other required steps. (Please see Attachment D, *Somis School Site Concept,* for a site plan showing the final configuration including the proposed Somis school facilities.) The remaining components necessary to meet the SAB requirement for filing a SFP funding application are projected to be completed on the following schedule:

- ***September 2016- CA Geological Survey Approves Soils & Geologic Hazards Reports***
- ***February 2017 – DSA approves Construction Drawings***
- ***February 2017- Private Funding is complete***
- ***February 2017-Hardship Grant Funding Formal Funding Request submitted to OPSC and SAB***

ATTACHMENT A2

Summary

The information provided in this request shows conclusively that the Somis Union School District has aggressively pursued the steps to develop a complete replacement school project reading for construction. Unanticipated land acquisition issues including an unexpectedly unwilling seller and special requirements for land buffers between the school and adjacent agricultural land have added significantly to the tasks to be completed and the time to complete them.

The project continues to move forward with the obstacles now identified and addressed. Completion of all requirements leading to submission to the DSA for final plan approval will be done by July 2016. While the DSA processes are beyond the control of the District and the project architect, we fully anticipate DSA approval in February 2017 2016. Within approximately two weeks of that approval, the District would be in a position to present a completed funding application to the OPSC. However given that all the funds required to build the school are not yet identified and committed, the District is requesting an extension until September 20, 2018 to allow some flexibility for assembling the additional funds required so that when the funding application is submitted and funds awarded the District will be in a position to commence construction with 90 days of receiving the notice of funding.

Based on the information attached, the District respectfully requests that the SAB grant a twenty four additional extension to the conceptual Facility Hardship approval. The District commits its full efforts and available resources to completing all requirements by the end of that time, if not sooner.

ATTACHMENT A2

Attachment B Form 189 School District Appeal Request

Somis Union School District

School Development Timeline

- July 1, 2011 - Colleen Robertson is hired as the new Superintendent/Principal of Somis School District

- November 29, 2011 - Discussions begin regarding the feasibility of putting a General Obligation (GO) Bond on the November 6, 2012 ballot for modernizing the Somis School.

- December 13, 2011 - Several Bond Advisory Companies make presentations to the Board of Trustees.

- February 14, 2012 - Several more Bond Advisory Companies present to the Board of Trustees.

- March 5, 2012 - Initial meeting was held with an architect to begin constructing a project list and to look for opportunities to get matching state funds for school improvement.

- May 2012- Existence of high pressure gas lines on the school playground revealed during board meeting to discuss school improvements. District hires Terraphase (out of Oakland) to complete a pipeline risk assessment. Study reveals a 22 inch, 800psi natural gas line installed in 1951, running the length of the front of the school approximately 40 feet from the primary classrooms.

  Two other active natural gas pipelines are discovered in the back of the school. An 18 inch 600psi (installed in 1944) and a 16inch 300psi (installed in 1927). Both pipelines are located 30 inches below the dirt of the playground that children use every day. A petroleum line runs parallel to the gas lines. Met with a representative from Sempra (Southern California Gas Co), who adamantly claimed that there is no risk to our students from these high pressure gas lines.

- July 2012- Preliminary assessment identifies that the potential risk of gas line failure is 2.2 times higher than what the California Department of Education considers safe.

- August 2012:

  - District determines pipeline to be imminent threat,

  - SUSD begins search for alternate sites and interim options.

  - Neighboring districts contacted to explore housing options. None found.

- Meetings with Utility, community, regulators, county and state officials to discuss safety measures & protocols.
- Relocation of lines explored with Utility. Rejected.
- Sempra maintains their stance that there is no risk or danger to our students.
- Meeting with Fire Department to establish emergency evacuation plans.

- September, October 2012:
  - Final assessment report determines risk to be 4.6 times higher than CDE acceptable limits.
  - CDE concurs site would not be approved for school purposes today.

- October 2012 - District submits "Facility Hardship" request to the Office of Public School Construction to replace school on a new site.
- November 2012- District voters approve $9 million GO bond with a 67% majority.
- December 2012 - A team of electrical, mechanical, and structural engineers complete a safety study of Somis School. Met with a representative from Channel Island University who received a state award for her safety plan to deal with the natural gas pipelines on the Channel Islands University campus
- January 2013 - Meetings with Superintendent at Mesa School to review history of building the "blast" wall in front of Mesa School to mitigate the danger of the 22 inch, 800 PSI natural gas line. This is the same line that runs the full length of our school less than 50 feet from the primary classrooms.
- February 2013 - Begin meeting with the Bond Oversight Committee. Concern about the proximity of the natural gas lines expressed by the committee.
- March 20, 2013 - Meeting with State Allocation Board held. First order of business at the meeting was to move discussion of the Facilities Hardship Application from an action item to the consent agenda. State Allocation Board (SAB) grants conceptual approval to place Somis School on the list for Facilities Hardship funding to replace school on a new site.
- April 2013 – Began developing conceptual designs for new school.
- May 2013 - Met with representative from the Sempra. Sempra agreed to move up the hydro testing of line 404. (May be the result of a letter we sent to PUC requesting help

in getting SEMPRA to perform safety tests). Testing will take place between June 13 and July 20, 2013. Told by Sempra representative that the results of the test will not be shared with school officials because the results will be proprietary information.

- May 1, 2013 - Met with representative from a company that makes prefabricated buildings. Maybe a money saving alternative for our new school construction.

- May 21, 2013 - Visited potential building sites for new school with George Shaw (CDE), and Jim bush (School Site Solutions). Only one of three sites is really viable for the new school construction.

- June 20, 2013 - Community meeting to discuss the pipelines and plans for new school construction. Presenters were from CDE, Terraphase, Architect, School Site Solutions. Community invited using robo call list from the bond campaign.

- July 26, 2013 – Began working with an architect to develop a timeline for the beginning date of construction of our new school.

- August 5, 2013 – Meetings held to discuss strategy to purchase 10 acre property from the Catholic Archdiocese. The disposition of current school site also being considered.

- August 29, 2013 – Held second community meeting to discuss the pipeline and the plans for new school construction. Same group of presenters as in the June 20th meeting with updated message. Community invited through flyers inserted in their water bill.

- September 10, 2013 board presentation from Jon Isom regarding the sale of our first Bond issuance. Investigating possible vendors to assist us with the purchase of the 10 acre property. Made contact with the Father Preston, from St Mary Magdalene, (owners of the 10 acre property).

- September 25, 2013 - Superintendent went to San Francisco to speak before a panel at Standard and Poor's in an effort to get a good rating of our bonds. We received an AA- rating.

- October 18, 2013 Sale of Series - A bonds will yield a little under 4 million dollars to begin the process of buying land, hiring architects, begin land and soils reports.

- October 2013 Local paper, the Acorn runs a story about Somis School and the three high pressure gas lines on our campus.

- November 13, 2013 - Met with Steve Nishimori, the farmer on the 10 acre property that we hope to purchase from the Catholic Church.

ATTACHMENT A2

- December, 2013
  - Initial meeting with representatives from St. Mary Magdalene parish. (Owners of the 10 acre property but business dealings will be overseen by the LA Archdioceses).
  - Third meeting with County Supervisor Linda Parks to discuss the use of agricultural land for our new school. She suggested we look at Green Schools Grants.
  - Hired Project Manager, S.L. Leonard & Associates
- January 2014
  - Developed Request for Qualifications for architect and CEQA Consultant
  - Civil Engineer engaged
  - Alternate site investigation in accordance to California Department of Education (CDD) requirements is completed
- February 2014 – Began meeting with potential architectural firms. Arranging to visit "newer" school sites. Visit several sites over the next few weeks
- March 26, 2014 Began screening process for hiring architectural firm.
- March 2014 - Interviewing law firm to assist in the process of negotiating and purchasing land from the LA archdiocese. Begin meetings with Dr. Klein-Williams to discuss the programmatic changes that will need to take place to become a STEM School. Begin discussions with construction companies to learn more about Lease/Lease Back option. Conducted a radio interview on NPR regarding our high pressure gas lines. Working with the Department of Toxic Substance Control (DTSC) to complete soils testing on 10 acre property.
- April, 2014
  - Interviews for potential architects for our new school project. Made initial contact with Mike Davitt, Director of Real Estate for the LA Archdioceses.
  - April 2014 - Hired Architects Gonzalez and Goodale and Mainstreet Architects.
- May 2014 - Began brainstorming meetings with architects regarding educational philosophy, school mission and goals, building and program design, budgets and timelines. Met with Ventura County Agriculture Commissioner, Henry Gonzalez to discuss the need to build on agricultural land. He is supportive. Met with State Agricultural Commissioner, Karen Ross and with Rob Corley, CDE. Solidified plan tobuild

a school that focuses on Science, Technology, Engineering, Art, and Mathematics, all under the umbrella of Agriculture.

- June 2014
  - Discussions regarding the need for an agricultural buffer on the 10-acre piece of property. 150 foot buffer would leave slightly over 5 acres for the school buildings and play area. Spoke with Jeanie Myer owner of the property surrounding the 10 acres. Broached the subject of needing to purchase an additional 4 to 5 acres. Continued to meet with the architects to develop conceptual design.
  - Discussed the option of hiring a PR firm to help develop a capital campaign to bridge the gap between the cost of the school and the Bond plus potential Hardship funds. Met with Pilar Pecheco from the Channel Islands University to discuss partnership in developing our STEM program.
  - July 2014 Project Team determines that additional 5.85 acres must be required to comply with 150' Agricultural Buffer Requirement. Apply for DTSC Grant for PEA for this additional land
- July 2014 – Began to work with our law firm to develop land purchase agreement. Meeting with Capital Campaign group to identify informants, contributors and partners is held.
- August, September 2014
  - Master site plan and phasing site plans for new school completed and approved.
  - CEQA Initial study completed.
  - August 2014 DTSC Approves PEA Grant for 5.85 additional acres required for AG Buffer
- August, 2014 - Developed parent and staff trainings for new STEAM curriculum. Additional meetings were held with architects and the owners of the Bell Ranch property regarding the purchase of an additional 4-5 acres to allow for the required agricultural buffer surrounding the 10 acre piece that is owned by the LA Archdioceses. RFQ is issued to potential building contractors. Master site plan and phasing site plans for new school near completion.
- CEQA Initial study completed.
- September 2014 - Kickoff team meeting with newly hired construction firm and architects. Continue to work with Capital Campaign to develop a case statement and feasibility study.

ATTACHMENT A2

- October 2014
  - Contingent purchase offer authorized by school board.
  - Environmental Impact Report (EIR) Scoping meeting is held at Somis School. No detractors. Superintendent attended a pipeline safety meeting in Ventura with the School Board President. Superintendent participated in half a dozen meetings with potential partners in business and agricultural community for our capital campaign.
  - Original 10-Acre site was approved for unrestricted use by the Department Of Toxic Substances Control (DTSC). SUSD received a Targeted Site Investigation (TSI) grant from DTSC, the Preliminary Endangerment Assessment (PEA) was completed in June of 2013.

- November 2014 - Final preparations to documents requesting extension of our facilities hardship application to the State Allocation Board.

- January 2015
  - Negotiations underway to purchase 10.1 acres from Archdiocese. Additional appraisal work authorized.
  - Preliminary negotiations commence with Bell Ranch, owners of 104 acres adjacent, to purchase 5.85 acres required to provide Agricultural Buffer and access to the 10.01 site.
  - EIR reports and Studies are underway
  - Schematic Design and preliminary budgeting underway. Site plan revisions to accommodate some of Bell Ranch comments
  - Department of Toxic Substance Control (DTSC) awards the District a grant to pay for the Preliminary Endangerment Assessment (PEA) for the 5.85 acres owned by Bell Ranch January 2015

- February, 2015
  - Preliminary negotiations continue with Bell Ranch
  - Negotiations continue to purchase 10.1 acres from Archdiocese. Additional appraisal work authorized February 2015

- EIR studies continue as project team addresses water, sewer, grading and drainage, access and traffic issues Draft.
- February 24, 2015, the State Allocation Board approved the District's request for an extension of conceptual approval for facility hardship replacement project, pursuant to the School Facility Program Regulations1859.82 (a) (1) on March 26th, 2014. The District is required to submit a completed funding application to the Office of Public School Construction by September 20, 2016.

➢ March, 2015:

- Purchase Agreement for the 10.01 acres signed by the Archdiocese of Los Angeles
- EIR studies continue as project team addresses water, sewer, grading and drainage, access and traffic issues Draft.
- Negotiations with Bell Ranch working to resolve water, drainage, access and agricultural buffer issues

➢ April, 2015:

- Los Angeles Regional Water Quality Control Board conceptually agrees to allow a septic system on the property
- Technical negotiations with Bell Ranch to resolve water, drainage, access and agricultural buffer issues are completed. Additional appraisal work authorized to support purchase price negotiations

➢ May, 2015:

- Work with design team and neighboring property owner to address Bell Ranch access requirements.

➢ June, 2015:

- Draft EIR released and distributed
- Inspection period for Archdiocese 10.01 acre property is extended
- Negotiations with Bell Ranch continue
- DTSC issues "No Further Action" letter for both the 10.01 and 5.85 acre sites
- Easement agreement negotiations with adjacent property owner underway

ATTACHMENT A2

- July, 2015:
  - Draft EIR comments received July 20, 2015
  - Negotiations with Bell Ranch continue
  - Easement agreement
  - Schematic Design and budget estimate being reviewed by the District
- August, 2015:
  - Draft EIR comments require some studies and reports to be expanded and amended
  - Bell Ranch appraisal authorized
  - Easement agreement prepared by attorney
  - Schematic Design approved
- September, 2015:
  - Design Development commences
  - Draft Purchase and Sale Agreement and Easement agreement delivered to Bell Ranch
  - EIR response to comments drafted and being reviewed by the project team
  - Easement
- October, 2015:
  - District attorney drafting Board CDE and EIR Certification Resolutions
  - CDE forms 4.02 and 4.03 submitted to CDE
  - SUSD meets with local water provider
  - Purchase and Sale Agreement and Easement agreement negotiations underway with Bell Ranch

- November, 2015:
  - Final Draft of Purchase and Sale Agreement and Easement agreement delivered to Bell Ranch
  - Design Development meetings with project team.
  - Draft Response to EIR Comments are reviewed by the project team and revised as required
- December, 2015:
  - Signed of Purchase and Sale Agreement delivered to Escrow, Earnest Money Deposit delivered to Escrow opens on the 5.85 Bell Ranch property
  - Easement agreement negotiations continue with Bell Ranch and adjacent property owner, Somis Community Church, Title Company comments require revisions to the Easement agreements
  - District Board approved and certified the EIR, approved Resolution certifying the site complies with CDE requirements and approved a resolution exempting the project from County of Ventura Ordinance Code and Over-ruling the County Planning Agency's Disapproval of the potential purchase of the site
  - Local CDE Representative approved and accepted CDE Site Selection Standard forms SFPD 4.0 and 4.02
  - Additional soils engineering data collection and testing is required to address site plan changes and confirm structural design criteria
- January, 2016:
  - Final Draft Easement agreement delivered to Bell Ranch and Somis Community Church
  - Weather and crop in the fields delay soils engineering data collection and testing.
  - Design Development meetings and work underway
- February, 2016:
  - Final Easement agreement signed by Bell Ranch and Somis Community Church and delivered to Escrow
  - Soils engineering data collection and testing is completed.

- District engages civil engineer to prepare off-site improvement plans

- March, 2016:
  - District closes Escrow and acquires 10.01 acre property
  - Capital Campaign underway
  - Design Development completed District authorizes preparation of Construction Drawings
- April, 2016:
  - District closes Escrow and acquires 5.85 acre property
  - Capital Campaign continues
  - Construction and Off-site Improvement Drawing preparation underway
- May, 2016:
  - Pre-application meeting with DSA
  - Capital Campaign underway
  - Construction and Off-site Improvement Drawing preparation underway
  - Soil & Geologic Hazards Reports submitted to CA Geological Survey
- June, 2016
  - Submit 4.07 SFPD, Educational Specifications and SFPD Plan Summary to CDE
  - Submitted off-site civil engineering drawings to Ventura County and Caltrans
- July, 2016:
  - July 19, 2016 Received Final Site Approval from CA Department of Education
- August, 2016:
  - August 3, 2016 Submitted Construction Drawings to DSA
  - August 5, 2016 Submitted SAB Board Hardship Grant Extension Application

ATTACHMENT A2

THE FOLLOWING ARE PROJECTED TIMELINES FOR FUTURE ACTIVITIES INCLUDING THE FINAL APPLICATION FILING WITH THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION (OPSC)

- September 2016- CA Geological Survey Approves Soils & Geologic Hazards Reports
- February 2017 – DSA approves Construction Drawings
- January 2017- Private Funding is complete
- February 2017-Hardship Grant Funding application submitted to OPSC and SAB

ATTACHMENT A2 ATTACHMENT C

RESOLUTION NO. 15/16-8

GOVERNING BOARD OF THE
SOMIS UNION SCHOOL DISTRICT
EVALUATION OF POTENTIAL PURCHASE OF 15.86 ACRES OF LAND TO RELOCATE THE EXISTING SOMIS SCHOOL PURSUANT TO CDE SITE SELECTION STANDARDS AND ADOPTION OF RESOLUTION

WHEREAS, the Somis Union School District ("District") is considering the acquisition of acquisition of the following two (2) parcels of land:

- Approximately 10.01 acres located at the south west corner of Somis Road and West Street Avenue, in the City of Somis, California (APN:156-0-180-225) ("Archbishop Property"), and;
- Approximately 5.84 acres located +/- 450 feet south of West Street and west of Somis Road in the community of Somis, County of Ventura, California (APN: 156-0-180-370) ("Bell Ranch Property")(collectively referred to as "Properties").

; and

WHEREAS, the District is contemplating the relocation of the Somis School ("School") located at 5268 North Street, in the City of Somis, to address structural issues and because it is underlain by high-pressure natural gas pipelines determined to be a potential safety hazard. To accomplish this goal, the District is considering acquiring the Properties ("Proposed Project"); and.

WHEREAS, before the District can acquire the Properties to relocate the School, the Board of Education must evaluate the Properties to determine if it satisfies certain California Department of Education's ("CDE") site selection standards; and

WHEREAS, the District engaged Rincon Consultants, Terraphase Engineering, Stantec, AMEC Environment & Infrastructure, Associated Transportation Engineers, School Site Selections Inc., Hancock Park & DeLong Inc., Earth Systems Southern California, and Orbach Huff Suarez & Henderson, LLP to analyze the Properties pursuant to the applicable CDE site selection standards. Presented below is each CDE site selection standard followed by the related finding:

NOW, THEREFORE, the Governing Board of the District hereby finds, determines, declares, orders, and resolves as follows:

1. The net usable acreage and enrollment for the new School through the acquisition of the Properties is not consistent with the numbers of acres and enrollment established in the 2000 Edition, "School Site Analysis and Development" based upon the Board Item and its referenced documents. Although still below the CDE recommended standard of 10.4 acres, the acquisition of the Properties will be an increase and improvement over the acreage of the existing School and will better allow the District to achieve its

educational program. The District has analyzed the possibility of acquiring alternative sites within the Somis community, however, has determined it would not be feasible to acquire the alternative properties because they were not located within the Somis community and difficult to access, not large enough to accommodate the District's proposed new school, subject significant traffic impacts and/or adjacent to potential hazards and hazardous materials.

2. Based on the Board Item and its referenced documents, the School's students will be provided an adequate educational program including physical education as described in the District's adopted course of study.

3. Based on the Board Item and its referenced documents, the property line of the Properties is within 100 feet of one (1) 66kV power lines along SR 34/Somis Road. The proposed site plan for the proposed new School includes a 100 foot setback in compliance with CDE requirements.

4. Based on the Board Item and its referenced documents, the railroad tracks within 1,500 feet of the Properties would not present an unacceptable risk from derailment. However, the District will implement an emergency response plan to address procedures to be implemented in the event of an accident or the derailment of a rail car along the segment adjacent to the proposed new School.

5. Based on the Board Item and its referenced documents, the Properties would improve the safety of the students walking, biking, bussing, or skateboarding to the School Thus, there are no site-related traffic and sound issues that would adversely affect the educational program.

6. Based on the Board Item and its referenced documents and pursuant to Education Code sections 17212 and 17212.5, the Properties do not contain an active earthquake fault or fault trace.

7. Based on the Board Item and its referenced documents and pursuant to Education Code sections 17212 and 17212.5, the Properties are not within an area of significant risk of major flood or dam flood inundation.

8. Based on the Board Item and its referenced documents, natural gas and petroleum pipelines located within 1,500 feet of the Properties do not present a significant safety hazard, as, conducted by a competent professional, which may include certification from a local public utility commission.

9. Based on the Board Item and its referenced documents, the Properties are not subject to moderate to high liquefaction or landslides.

10. Based on the Board Item and its referenced documents, the location of the Properties would not detract from building layout, parking, and playfields that can be safely supervised and does not affect travel times between classes.

11. Based on the Board Item and its referenced documents, the proposed new School is easily accessible from the arterial road and improvements to West Street will improvement access to the Properties.

12. Based on the Board Item and its referenced documents, the proposed new School is accessible via one connection to West Street where West Street meets the Properties. Improvements proposed for West Street will improve site access and circulation and would provide space to place a sidewalk to increase student safety.

13. Based on the Board Item and its referenced documents, the Properties would not pose a potential health or safety risk to students or staff in accordance with Education Code section 17213. On October 13, 2014, the County of Ventura, Planning Division sent a letter to the District where in it stated that the Proposed Project is not consistent with the County's General Plan. Pursuant to Government Code section 65402(c), if the planning agency disapproves of the acquisition, the local agency may overrule the disapproval.

14. Based on the Board Item and its referenced documents, the proposed location of the new School is located within the attendance area that encourages student walking and biking.

15. Based on the Board Item and its referenced documents, the Properties will promote joint use of parks, libraries, museums and other public services.

16. Based on the Board Item and its referenced documents, the Properties are conveniently located for public services including but not limited to fire protection, police protection, public transit, and trash disposal.

17. Based on the Board Item and its referenced documents, the District considered the environmental factors of light, wind, noise, aesthetics, and air pollution in selecting the Properties for evaluation.

18. Based on the Board Item and its referenced documents, the easements on or adjacent to the Properties do not practically restrict access or building placement.

19. Based on the Board Item and its referenced documents, the cost and complications of the Proposed Project will not result in undue delays or unreasonable costs.

20. Based on the Phase 1 ESA conducted on the Proposed Project site, the Properties are not on or within 2,000 feet of a significant disposal of hazardous waste. AMEC identified Carr Fertilizer as an offsite source of contamination that has the potential to move onto the Proposed Property site and is therefore considered a recognized environmental condition. However, based on soil and soil gas samples conducted in two separate Preliminary Endangerment Assessments for the 10.01 and 5.85 acre sites, it was determined that any cumulative exposure of a concentration of chemical of

potential concern should not result in unacceptable cancer risks or noncarcinogenic health effects.

21. The District met with appropriate local government, recreation, and park authorities to consider possible joint use of the grounds and buildings and to coordinate the design to benefit the intended users as required by Education Code section 35275.

22. The District gave written notice to the local planning agency having jurisdiction to review the acquisition of the Properties and requested a written report from the local planning agency of the investigations and recommendations with respect to conformity with the adopted general plan as required by Public Resources Code Section 21151.2 and Government Code Section 65402. The local planning department has found that the District's proposed use is not in conformity with the County's General Plan. On October 13, 2014, the County of Ventura, Planning Division sent a letter to the District where in it stated that the Proposed Project is not consistent with the County's General Plan. Pursuant to Government Code section 65402(c), if the planning agency disapproves of the acquisition, the local agency may overrule the disapproval. The District is overruling the disapproval in a concurrently considered resolution.

23. Based on the Board Item and its referenced documents, the District complied with Education Code Sections 17212 and 17212.5, with particular emphasis upon an engineering investigation made of the Properties to preclude locating the school on terrain that may be potentially hazardous.

    Based on the Board Item and its referenced documents, the District studied the following with respect to the Properties:
    (i.) Population trends
    (ii.) Transportation
    (iii.) Water supply
    (iv.) Waste disposal facilities
    (v.) Utilities
    (vi.) Traffic hazards
    (vii.) Surface drainage conditions
    (viii.) Other factors affecting initial and operating costs.

24. The District prepared an Environmental Impact Report in compliance with the California Environmental Quality Act, Public Resources Code, Division 13, (commencing with Section 21000 with particular attention to Section 21151.8).

25. The District consulted with the appropriate city/county agency and with any air pollution control district or air quality management district having jurisdiction, concerning any facilities having hazardous or acutely hazardous air emissions within one fourth of a mile of the Properties as required by Education Code Section 17213.

26. Based on the Board Item and its referenced documents, the District conducted its environmental site assessment of the Properties pursuant to Education Code Sections 17210.1, 17213.1, and 17213.2.

27. Based on the Board Item and its referenced documents, the Properties are is exempt from following the recommendations of the State Superintendent of Public Instruction report based upon the Department of Transportation, Division of Aeronautics, findings.

APPROVED, PASSED, AND ADOPTED by the Governing Board of the Somis Union School District on this 8th day of December, 2015, by the following vote:

AYES: 4

NOES: 0

ABSTENTIONS: 0

ABSENT: 1

Superintendent
Secretary to the Board

ATTACHMENT A2

RESOLUTION NO. 15/16-9

GOVERNING BOARD OF THE
SOMIS UNION SCHOOL DISTRICT
RESOLUTION EXEMPTING THE SOMIS SCHOOL PROJECT FROM THE COUNTY OF VENTURA ORDINANCE CODE AND OVERRULING THE COUNTY OF VENTURA PLANNING AGENCY'S DISAPPROVAL OF THE POTENTIAL PURCHASE OF THE PROJECT SITE

WHEREAS, the Somis Union School District ("District") is considering the acquisition of acquisition of the following two (2) parcels of land:

- Approximately 10.01 acres located at the south west corner of Somis Road and West Street Avenue, in the City of Somis, California (APN:156-0-180-225) ("Archbishop Property"), and;
- Approximately 5.84 acres located +/- 450 feet south of West Street and west of Somis Road in the community of Somis, County of Ventura, California (APN: 156-0-180-370) ("Bell Ranch Property")(collectively referred to as "Properties").

; and

WHEREAS, the District is contemplating the relocation of the Somis School Project ("Project") located at 5268 North Street, in the City of Somis, to address structural issues and because it is underlain by high-pressure natural gas pipelines determined to be a potential safety hazard. To accomplish this goal, the District is considering acquiring the Properties; and.

WHEREAS, the Properties are currently used for agricultural operations and has a Ventura County General Plan land use designation of Agricultural and is zoned Agricultural Exclusive (AE-40 acres);

WHEREAS, the Project is likely inconsistent with the Save Open Space and Agricultural Resources ("SOAR") Ordinance;

WHEREAS, Government Code section 53094(b) expressly authorizes the District to exempt the Project from the County of Ventura's Ordinance Code (i.e., zoning ordinances), General Plan and permit requirements by a two-thirds' vote of the District's Board members; and

WHEREAS, the Project involves educational facilities within the meaning of Government Code section 53094(b); and

WHEREAS, the District has unique expertise in educational programs and is best suited for designing facilities to serve the Campus; and

WHEREAS, the California Division of the State Architect reviews and approves the plans and specifications of school facilities and oversees the construction of school facilities, including the Project; and

WHEREAS, unless exempted, the County of Ventura Ordinance Code section 8105-4 and potentially other sections would likely prohibit the Project from operating on the

Properties, which would significantly hamper, interfere with, or jeopardize the viability of the Project; and

WHEREAS, the Project would potentially suffer undue delay from requirements that are unreasonable for a public school unless the Project is exempted from the County of Ventura Ordinance Code, General Plan and its permitting requirements; and

WHEREAS, school facilities that are included in the Project are an integral, important part of the education of the District's students; and

WHEREAS, Government Code section 65402(c) provides that a local agency shall not acquire real property until the location, purpose, and extent of such acquisition has been submitted to and reported upon by the planning agency as to conformity with the city or county general plan; and

WHEREAS, Government Code section 65402(c) expressly provides that if the planning agency disapproves of the acquisition, the disapproval may be overruled by the local agency.

NOW THEREFORE, the Governing Board of the Somis Union School District hereby resolves, determines, and finds the following:

Section 1. The Project is educational facilities.

Section 2. Based upon the foregoing, the Project is exempted from the County of Ventura Ordinance Code, General Plan, SOAR Ordinance, and its permitting conditions and prohibitions that would otherwise apply to the Proposed Project.

Section 3. Based upon the foregoing, the District is overruling the County of Ventura's disapproval of the Proposed Project pursuant to Government Code section 65402(c).

Section 4. The Superintendent is directed to serve notice of this action upon the City of Hawthorne within ten (10) days.

This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the Governing Board of the Somis Union School District, this 8th day of December, 2015, by the following vote:

AYES: 4

NOES: 0

ABSTENTIONS: 0

ABSENT: 1

Robert W Fulkerson

Robert W Fulkerson, President

Patricia J Ehrhardt

Patricia Ehrhardt, Clerk

ATTACHMENT A2

SOMIS UNION SCHOOL DISTRICT
BOARD OF EDUCATION

RESOLUTION 15/16-10

CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT, MAKE FINDINGS, ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE PURCHASE OF 15.86 ACRES OF LAND AND THE SOMIS SCHOOL PROJECT

WHEREAS, the District engaged Rincon Consultants ("Rincon") to conduct the environmental review for the proposed acquisition of the following two (2) parcels of land for the relocation of the Somis School ("School"):

- Approximately 10.01 acres located at the south west corner of Somis Road and West Street Avenue, in the City of Somis, California (APN:156-0-180-225), and;
- Approximately 5.84 acres located +/- 450 feet south of West Street and west of Somis Road in the community of Somis, County of Ventura, California (APN: 156-0-180-370) ("Proposed Project");

WHEREAS, Rincon analyzed and determined that the Proposed Project may potentially create a significant or cumulatively considerable environmental impact and that the appropriate environmental document would be an Environmental Impact Report ("EIR");

WHEREAS, on September 12, 2014, the District issued a Notice of Preparation of a Draft EIR and the Proposed Project's Initial Study for public review and comment. The comment period ended on October 13, 2014. Ten (10) comment letters/emails were received that raised concerns with agricultural resources, biological resources, traffic, parking, wastewater, drainage, waste management, compliance with the County of Ventura General Plan, and wildlife;

WHEREAS, on October 1, 2014, District staff held a public scoping meeting on the Proposed Project and the Draft EIR. No members of the public or agency staff attended the meeting;

WHEREAS, on June 5, 2015, the District issued a Notice of Availability of a Draft EIR and published the Proposed Project's Draft EIR for public review and comment. The Notice of Availability was published on the District's website, in one local newspaper, and directly mailed to each commenter on the Initial Study and affected public agencies. The Draft EIR was made available on the District's website and at the District's Offices. The public review and comment period for the Draft EIR ended on July 20, 2015. The District received seven (7) comments on the Draft EIR, including from the Department of Conservation Division of Land Resource Protection, the California Department of Transportation, the County of Ventura Resource Management Agency, the County of Ventura Planning Division, the Ventura County Air Pollution Control District, the Office of the Agricultural Commissioner, and from Gary Jayne, a member of the public; and

WHEREAS, on November 19, 2015 proposed responses to comments were mailed to each respective agency.

NOW, THEREFORE, BE IT RESOLVED, that the Somis Union School District Board of Education ("Board") hereby finds as follows:

1. None of the comments identified a new significant or cumulatively considerable environmental impact, an increase in the severity of a significant or cumulatively

considerable environmental impact, a feasible alternative to the Proposed Project or mitigation measure considerably different from others previously analyzed that would clearly lessen a significant environmental impact, or a feasible way to mitigate the two unavoidable significant impacts that the Proposed Project may cause. Further, the new information contained in the Final EIR merely clarifies or amplifies and makes insignificant changes to the Draft EIR. Accordingly, the Draft EIR is adequate and need not be recirculated for additional public review and comment.

2. The proposed Findings attached as Exhibit 1 prepared by Rincon are the findings of this Board.

3. The proposed Mitigation Monitoring and Reporting Program ("MMRP") attached as Exhibit 2 includes feasible mitigation measures that will mitigate those identified significant or cumulatively considerable impacts to less than significant.

4. The Proposed Project would cause two unavoidable significant impacts: (1) the permanent conversion of approximately 15.86 acres of prime farmland to non-agricultural uses, which would be inconsistent with Ventura County's zoning ordinances and general plan and (2) the cumulative loss of agricultural resources in the County. Since no feasible mitigation is available for these two significant impacts, the proposed Statement of Overriding Considerations, attached as Exhibit 3, prepared by Rincon is the Board's Statement of Overriding Considerations. The Proposed Project will provide many generations of students with a safe and secure facilities that maximize their learning environment. This long-term social benefit outweighs the impact to agricultural resources from the permanent conversion of approximately 15.86 acres of prime farmland to non-agricultural use.

5. A reasonable range of Proposed Project alternatives is evaluated in the EIR.

6. The Draft EIR, Final EIR, Responses to Comments, Findings, MMRP, Statement of Overriding Considerations, the Board Item, all other referenced documents, the whole of the record of proceedings, and this Resolution wholly reflect the Board's independent judgment and analysis.

7. The requirements of CEQA have been fulfilled for the Proposed Project.

8. The District is the custodian of the documents and other materials which constitute the record of proceedings upon which the Board's decision is based. The record of proceedings shall be maintained at the District Offices at 5268 North Street, Somis, CA 93066.

BE IT FURTHER RESOLVED that the Board hereby certifies that:

1. The Proposed Project's Final EIR has been completed in compliance with CEQA;

2. The Final EIR was presented to the Board and that the Board has reviewed and considered the information contained in the Final EIR prior to approving the Proposed Project; and

3. The Final EIR reflects the Board's independent judgment and analysis.

BE IT FURTHER RESOLVED that the Board hereby adopts:

1. The proposed Findings and Statement of Overriding Considerations (Exhibit 1); and
2. The proposed MMRP (Exhibit 2).

ATTACHMENT A2

BE IT FURTHER RESOLVED that the Board hereby finally approves the Proposed Project.

BE IT FURTHER RESOLVED that staff file a Notice of Determination for the Somis School Project with the County Clerk and the State Clearinghouse.

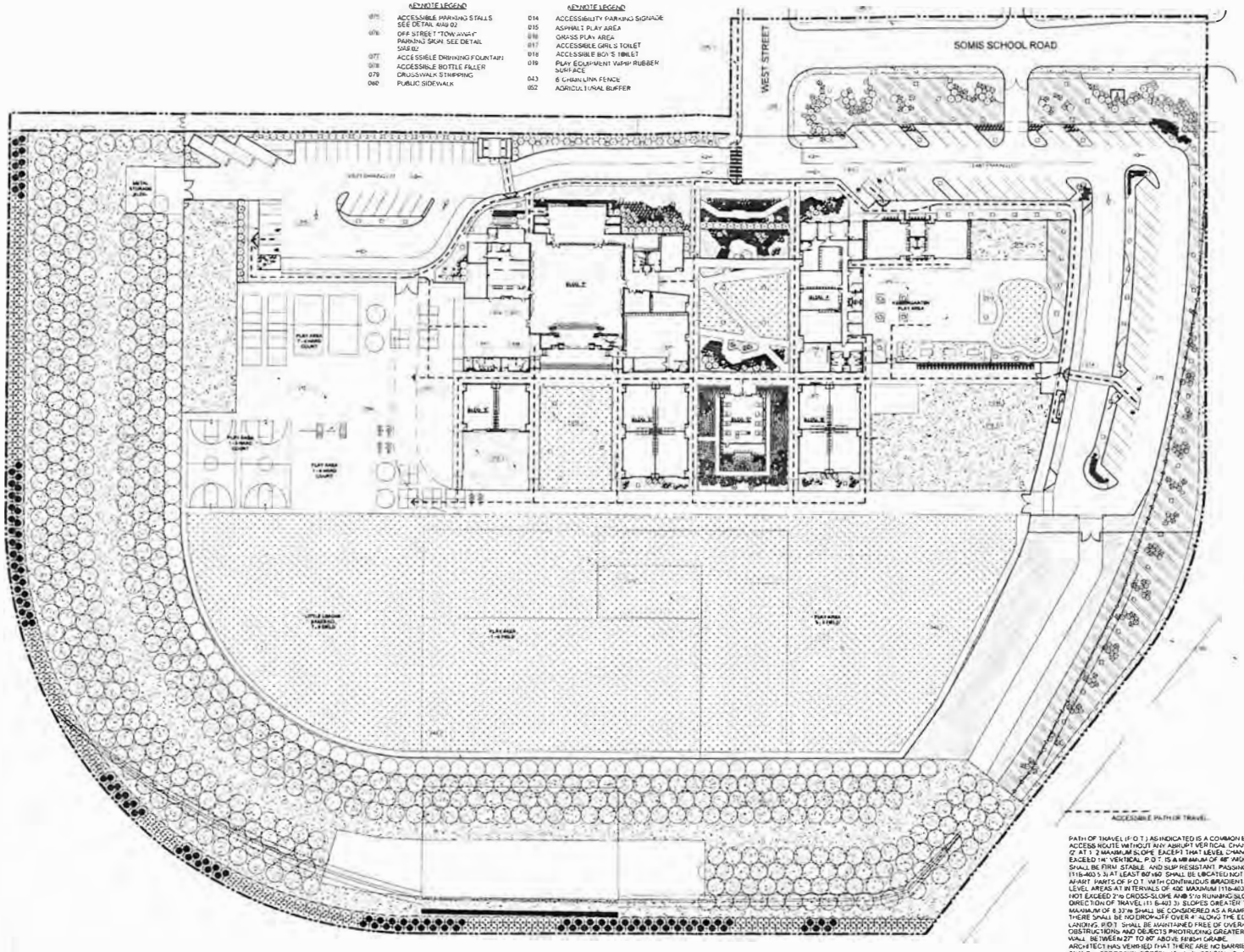
PASSED AND ADOPTED by the Somis Union School District at its regularly scheduled meeting held on this 8th day of December 2015.

AYES: 4
NOES: 0
ABSTENTIONS: 0
ABSENT: 1

Robert Fulkerson, President
Board of Education

I, Colleen Robertson, Ed.D., Secretary of the Board of Education of the Somis Union School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on December 8, 2015.

Colleen Robertson, Ed.D, Superintendent
Somis Union School District



1 OVERALL SITE PLAN

MAINSTREET ARCHITECTS + PLANNERS INC

SUSD
SOMIS SCHOOL

SITE ACCESSIBLE PATH OF TRAVEL

G1.02

ATTACHMENT D

ATTACHMENT A2

ATTACHMENT A2

ATTACHMENT E

CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

July 19, 2016

Governing Board
Somis Union
5268 North St.
Somis, CA 93066

Project Tracking No: 72611-3
Re: Somis Elementary School (Relocation)
Somis Road-State Route 34 and West Street
County: Ventura
Acres: 15.86
Grade Level: K - 8

Dear Governing Board:

Subject: Final Site Approval

The California Department of Education approves the acquisition of and/or use of, for school purposes, the parcel of property described on the attachment. This site meets the California Department of Education's standards for educational adequacy (California Code of Regulations, Title 5, 14001 et seq. and Education Code 17251(c) and (d)). It is the responsibility of the district to complete all of the mitigation measures identified in the documents submitted to the California Department of Education for review.

The property approved for acquisition and/or use is 15.86 gross acres of which 9.58 are usable for school purposes. This represents 68.43% of the California Department of Education's recommended master plan site size of 14 acres as contained in the California Department of Education's Guide to School Site Analysis and Development (2000).

As required by Education Code 17072.12(b) and State Allocation Board Regulation 1859.75(b) for districts requesting state aid in site acquisition, the district has certified to the California Department of Education that there are no district owned sites that are usable for this project.

The applicant has certified that this project is either exempt from, or has completed, the California Environmental Quality Act (CEQA) process.

This site approval is valid for a maximum of five (5) years from the date of this approval letter. However, if prior to acquisition and/or initiation of the response action, changes take place within this five-year period which would affect or alter the Department of Education's original approval--including but not limited to, changes in surrounding land uses or CEQA determination, the master plan capacity of the site and changes in code and/or regulation--the site may be subject to reevaluation using the current standards in effect at the time of reevaluation.

Please contact the undersigned if you have questions regarding this letter.

Sincerely,

Fred A. Yeager, Assistant Director
School Facilities and Transportation Services
Division

Rob Corley , Consultant
School Facilities and Transportation Services
Division
(805)835-3089

DP8389/S5357
cc: OPSC Real Estate

Exhibit C

Archbishop Property
APN#156-0-180-225

That portion of that certain parcel of land in the County of Ventura, State of California, marked "T. R. Bard" on the map of Rancho Las Posas, recorded in Book 3 page 22 of Maps, in the office of the County Recorder of said County, described as follows:

Beginning at the point of intersection of a line which is parallel with and distant northwesterly 42.00 feet, measured at right angles from the southerly prolongation of the center line of Central Avenue, 80.00 feet wide, as said avenue is shown on the Map of Town of Somis recorded in Book 3 page 33 of Maps with a line which is parallel with and distant southwesterly 84.00 feet measured at right angles from the southwesterly line of said Town of Somis, thence along said last mentioned parallel line.

1st: - North 75° 54' West 880.00 feet thence.

2nd: - South 14° 06' West 427.80 feet thence.

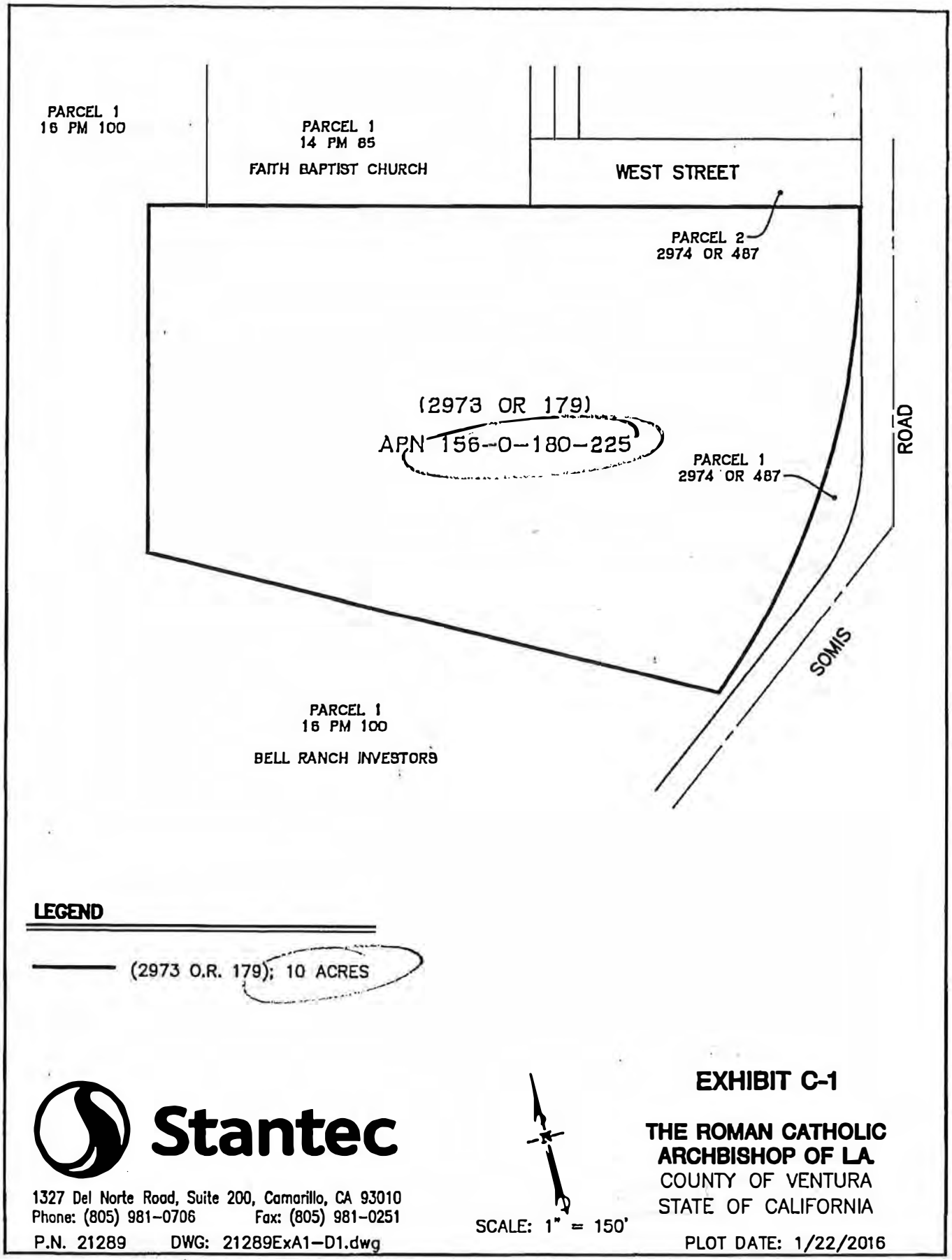
3rd: - South 62° 16' 25" East 725.10 feet, more or less, to the beginning of a non-tangent curve concave northwesterly having a radius of 958.00 feet the northeasterly terminus of said curve being tangent with said first mentioned parallel line at a point distant along said line South 14° 06' West 46.22 feet from the point of beginning thence.

4th: - Northeasterly along said curve through a central angle of 35° 12' 49" to said point of tangency; thence.

5th: - North 14° 06' East 46.22 feet to the point of beginning.

An undivided one-half interest in all oil, oil rights, minerals and mineral rights, natural gas, natural gas rights, and other hydrocarbons and minerals by whatsoever name known, whether metallic or non-metallic, that may be within or under the property above described, together with the perpetual right of drilling, mining, exploring and operating therefore and removing the same from said land including the right to whipstock or directionally drill and mine from lands other than those hereinabove described oil or gas wells, tunnels, and shafts into, through or across the subsurface of the real property above described, and to bottom such whipstocked or directionally, drilled wells, tunnels and shafts under and beneath or beyond the exterior limits thereof, and to re-drill re-tunnel, equp, maintain, repair, deepen and operate any such wells or mines, without, however, the right to drill, mine explore or operate through the surface or the upper 500 feet of the subsurface of the real property hereinabove described as excepted by Berylwood Investment Company on deed recorded April 14, 1966 in Book 2973, Page 179 of Official Records.

ATTACHMENT A2



ATTACHMENT A2

5.8

EXHIBIT "A"
LEGAL DESCRIPTION

That real property in the County of Ventura being a portion of Parcel 1 per Map filed in Book 16, page 100 of Parcel Maps in the office of the County Recorder of said county, described as follows:

Beginning at the northwesterly corner of the real property described in the Corporation Grant Deed to the Roman Catholic Archbishop of Los Angeles recorded on April 14, 1966 in Book 2973 pages 179 through 180, inclusive, of Official Records in the office of the County Recorder of said County; thence, along the westerly prolongation of the northerly line of said Corporation Grant Deed,

1st - North 75°07'09" West 150.00 feet to a line that is parallel with and lying 150.00 feet westerly of the westerly line described in said Corporation Grant Deed; thence, leaving said prolongation and along said parallel line,

2nd - South 14°52'51" West 342.63 feet to the beginning of a tangent curve concave northeasterly, having a radius of 356.00 feet, said curve's southeasterly terminus is tangent to a line that is parallel with and lying 698.63 feet southerly of said northerly line; thence, along said curve,

3rd - Southerly and southeasterly along said curve, through a central angle of 90°00'00", an arc length of 559.20 feet to last said parallel line; thence, along last said parallel line

4th - South 75°07'09" East 437.69 feet to a point on the westerly right-of-way of Somis Road (60 feet wide) as shown on said Parcel Map filed in Book 16, page 100; thence, northeasterly along said northwesterly right-of-way and continuing along the westerly right of way of Central Street shown on said Parcel Map in Book 16, Page 100 of Parcel Maps, the following three (3) courses:

5th - North 52°52'26" East 294.24 feet to the beginning of a tangent curve concave northwesterly having a radius of 270.00 feet; thence , northerly along said curve,

6th - Through a central angle of 37°59'56", an arc length of 179.07 feet; thence

7th - North 14°52'30" East 384.52 feet to the northeasterly corner of Parcel 2 described in the Corporation Grant Deed to the Roman Catholic Archbishop of Los Angeles recorded on April 18, 1966 in Book 2974 pages 487 through 489, inclusive, of Official Records in the office of the County Recorder of said County; thence, westerly along the northerly line of said Parcel 2,

8th - North 75°07'09" West 410.08 feet to the northwesterly corner of said Parcel 2; thence, southerly along said westerly line,

9th - South 14°52'06" West 84.00 feet to the northerly line of land described in the Corporation Grant Deed to the Roman Catholic Archbishop of Los Angeles recorded on April 14, 1966 in Book 2973, pages 179 through 180; thence westerly along said northerly line,

10th - North 75°07'09" West 471.93 feet to the **Point of Beginning.**

Except therefrom all that real property described in Book 2973, pages 179 through 180, inclusive, of Official Records in the Office of the County Recorder of said County.

Containing 5.862 acres, more or less.

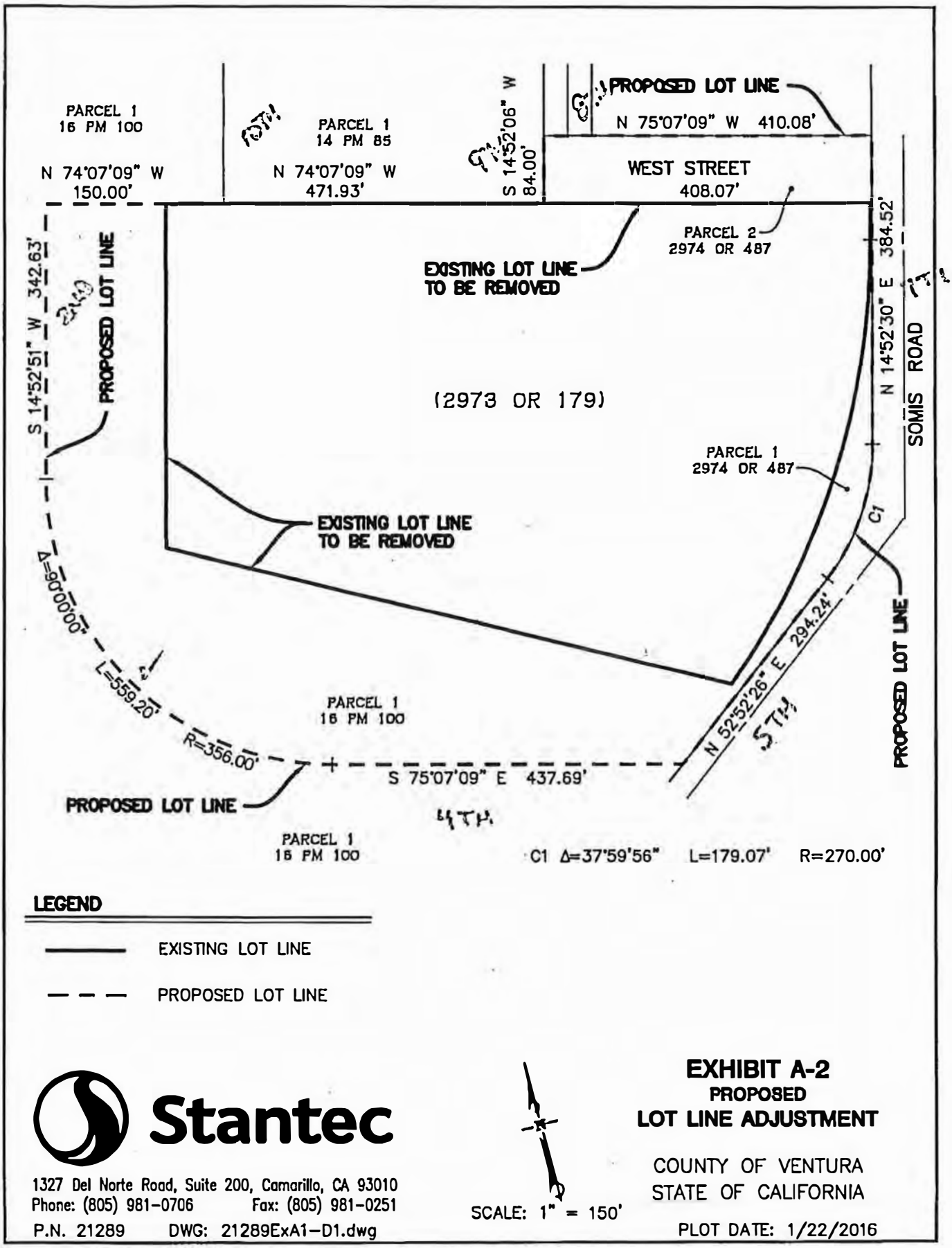
Said land is shown on Exhibits "A-1" and "A-2", attached hereto and by this reference made a part hereof.

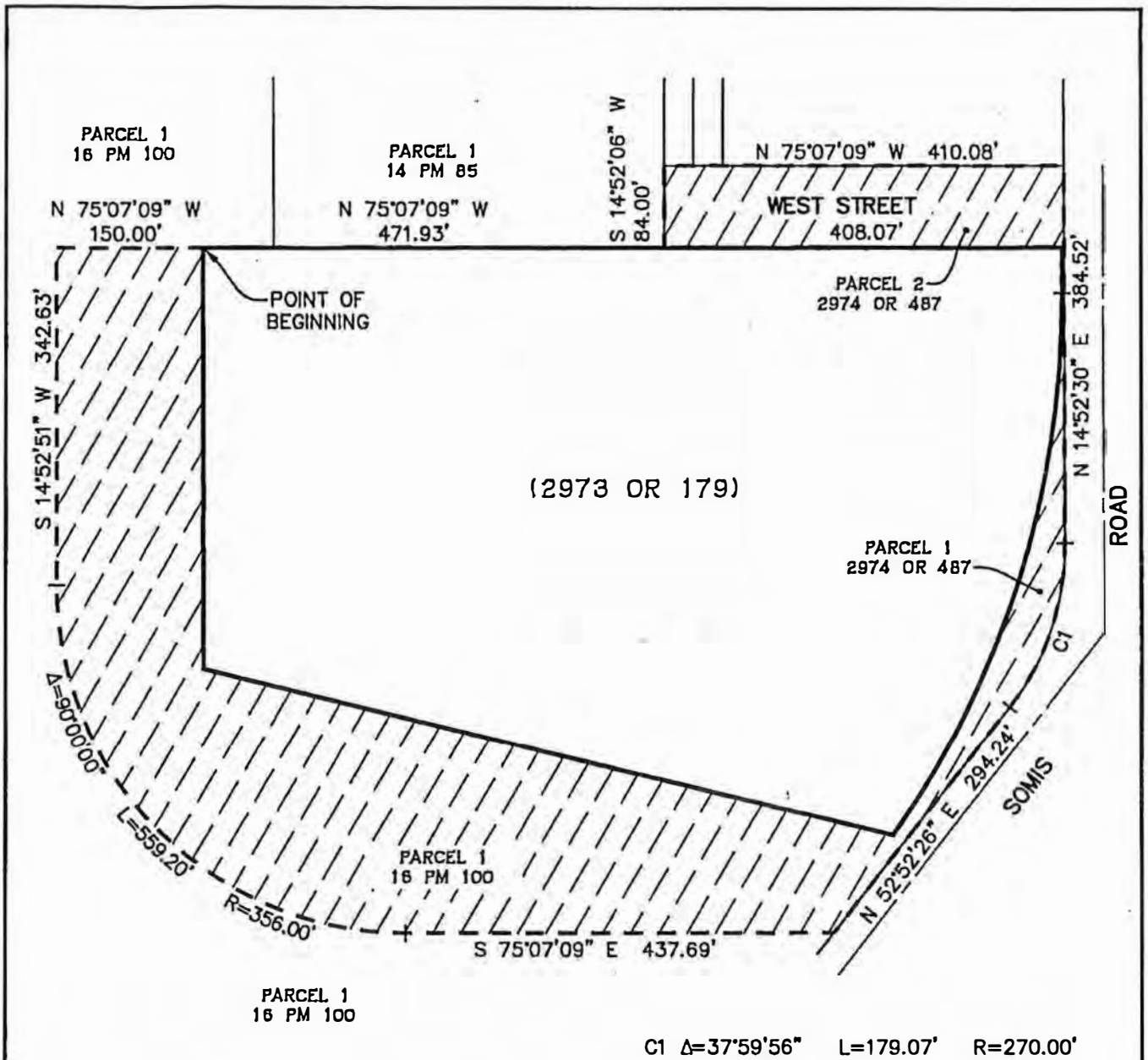
Prepared under the direction of:

James P. Fallon PLS 7807

PROFESSIONAL LAND SURVEYOR
JAMES P. FALLON
NO 7807
STATE OF CALIFORNIA

ATTACHMENT A2





LEGEND

ACQUIREMENT AREA = 5.862 ACRES

Stantec

1327 Del Norte Road, Suite 200, Camarillo, CA 93010
Phone: (805) 981-0706 Fax: (805) 981-0251

P.N. 21289 DWG: 21289ExA1-D1.dwg

SCALE: 1" = 150'

EXHIBIT A-1
5.86 ACRE ACQUIREMENT

COUNTY OF VENTURA
STATE OF CALIFORNIA

PLOT DATE: 1/22/2016

ATTACHMENT A2

CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

August 5, 2016

Governing Board
Somis Union
5268 North St.
Somis, CA 93066

Project Tracking No: 72611-3
Re: Somis Elementary School (Relocation)
County: Ventura
Square Feet: 40,483
Grade Level: K - 8

Dear Governing Board:

Subject: Preliminary Plan Review - New School

The California Department of Education has reviewed the preliminary plans with the title sheet date of June 30, 2016 for the above referenced project. The plans were received on July 6, 2016.

State Allocation Board (SAB) regulation 1859.83(d) provides additional funding for projects built on sites substantially smaller than the size recommended by the California Department of Education. The district should review the project to determine if the project is eligible for supplemental funding pursuant to this regulation.

The project as approved consists of:

TEACHING STATIONS	GRADE LEVEL	ROOMS	STUDENTS
Classrooms	1 - 6	8	200
Classrooms	7 - 8	2	54
Kindergartens	Kindergarten	2	50
Science	7 - 8	1	27

Based on the standards specified in Education Code 17071.25 and the number of teaching stations in the project, the student capacity of this project is 331.

CORE FACILITIES:

Administration	Kitchen	Library
Multi-Purpose	Platform	Resource Specialist Pro(
Speech	Storage	Teacher Work Room
Toilets		

School districts and county offices of education are required to indicate that the project is a minor addition eligible for either a statutory or categorical exemption under the California Environmental

ATTACHMENT A2

Quality Act(CEQA), or that they have complied with the requirements of Education Code 17213.1 regarding Phase I or a Preliminary Endangerment Assessment and if necessary the remediation of potentially hazardous materials. Districts and county offices shall indicate on the SFPD Form 4.07B, submitted with a request for Final Plan Approval, how they complied with this requirement.

It is the responsibility of the school district to meet all requirements concerning toilet facilities, drinking water supply, sewage disposal, food service facilities and other plan elements having primary health and safety implications. The plans should be reviewed by the local health agency having jurisdiction and a written approval should be secured and filed in the school district's records. If the approved project involves work on an existing school building, it is the responsibility of the school district to meet all Federal, State and local requirements relating to the identification, remediation and/or removal of hazardous levels of lead and asbestos containing materials before or during construction. It is the responsibility of the district to complete all of the mitigation measures identified in the documents submitted to the California Department of Education for review.

This plan review cannot be construed as justification of need nor as an approval under the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 of the Education Code commencing with Section 17070.10).

When final plans are complete, plans, reduced size plans, a construction cost estimate and an updated educational specifications (or SFPD Form 4.07/08 and SFPD Form 4.07/08B) must be submitted to this office for approval. If no changes to the educational specifications are made from the preliminary review submittal, districts need not submit a second 4.07/4.08C form with the final plans. Instead, please indicate in writing that no changes were made when submitting the final plans and submit the other required documents.

Please contact the undersigned if you have questions regarding this letter.

Sincerely,

Fred A. Yeager, Assistant Director
School Facilities and Transportation Services Division

Rob Corley, Consultant
School Facilities and Transportation Services Division
(805)835-3089

DP8389/P7717
cc: Architect

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, February 24, 2015

SCHOOL DISTRICT DATA	
School District: ..... SOMIS UNION	County: ..... VENTURA
Application Number: 51/72611-00-001	School Name: ..... SOMIS ELEMENTARY
Total District Enrollment: 256	Project Grade Level: K-8
Financial Hardship: ..... NO	

PURPOSE OF REPORT

To present the District's request (Attachment 1) for an 18-month time extension to submit a complete School Facility Program (SFP) Facility Hardship funding application for the previously approved conceptual approval for abandonment and replacement of site and facilities at Somis Elementary School.

DESCRIPTION

The District received a conceptual approval for abandonment and replacement of facilities and site under the SFP Facility Hardship Regulations at the March 2013 State Allocation Board (Board) meeting. The approval was limited to a maximum of 253 pupil grants for the replacement school, plus site acquisition costs consistent with the California Department of Education (CDE) recommended site size (Attachment 2). This approval required the District to submit a complete funding application by March 20, 2015. The District is requesting an 18-month time extension to this deadline.

AUTHORITY

See Authority on Attachment 3.

BACKGROUND

At the March 2013 Board meeting, the District was conceptually approved for a facility hardship project to replace Somis Elementary School, due to hazards posed by high pressure gas lines. At this time, unanticipated land acquisition issues have added significantly to the time required for site acquisition, delaying the anticipated timeline for the submittal of a funding application.

STAFF ANALYSIS/STATEMENTS

As of January 2014, the District has identified a suitable site and obtained tentative CDE site approval. The Department of Toxic Substance Control (DTSC) has approved 10 acres of the total 15.85 acre site for unrestricted use. The District is working with the DTSC to obtain approval for the remaining 5.85 acres, which are required to satisfy an agricultural buffer requirement. The District is also working with architects to develop plans for the replacement school now that a suitable site has been located.

(Continued on Page Two)

STAFF ANALYSIS/STATEMENTS (cont.)

The District is requesting an 18-month time extension to submit an *Application for Funding* (Form SAB 50-04), and has provided an estimated timeline for completion with highlights as follows:

- June 2015—
  Final DTSC approval for 5.85 acres required to meet agricultural buffer requirement.
- October 2015—
  CDE final site and plan approval.
  Project plans submitted to the Division of the State Architect (DSA) review.
- July 2016—
  DSA plan approval.
- August 2016—
  Complete Form SAB 50-04 submitted to the OPSC.

Staff has determined that this project continues to meet the qualifying criteria for the Facility Hardship Program. Therefore, staff supports the District's request for an 18-month time extension to September 20, 2016 provided that all of the original provisions and board action from the District's original approval from March 20, 2013 remain in full effect.

RECOMMENDATIONS

1. Grant the District an 18-month time extension from March 20, 2015 until September 20, 2016 for the submittal of a complete funding application for the Somis Elementary School replacement project.

2. Provide that all other provisions contained in the District's original approval and Board action from March 20, 2013, as shown on Attachment 2 shall remain in full effect.

ATTACHMENT A3

ATTACHMENT 1

SOMIS UNION SCHOOL DISTRICT

5268 NORTH STREET, SOMIS, CA 93066
(805) 386-5711 (OFFICE) (805) 386-4596 (FAX)

Board of Education
Scott Mier
Patricia Ehrhardt
Bob Fulkerson
Genaro Barajas
Michelle Quintero
Colleen Robertson, Ed.D. Superintendent/Principal

December 20, 2014

OFFICE OF PUBLIC SCHOOL CONSTRUCTION
2014 JAN -5 PM 4:47
MAIL ROOM

Ms. Lisa Silverman, Executive Officer
State Allocation Board and Office of Local Assistance
707 Third Street
West Sacramento, CA 95605

Dear Ms. Silverman,

On March 20, 2013, the State Allocation Board approved a conceptual Facility Hardship application from the Somis Union School District for the replacement of the Somis Elementary School. As you may recall, the Board's action was based on extensive evidence provided by the District that three high pressure, natural gas, transmission pipelines on or adjacent to the school site posed an unacceptable health hazard to our children and faculty. Immediately following that approval the District began the development of the new replacement school including the identification and acquisition of a new site.

The District is grateful for the assistance of the Office of Public School Construction (OPSC) and the State Allocation Board (SAB) in addressing this critical need. I am pleased to report that many of the key project development tasks are now complete, with the remaining requirements needed for a new construction funding application well underway. However, the reality of finding available property for a school in our densely agricultural community and mitigating the attendant land use issues has been formidable and extremely time consuming. To complicate matters further, we have been dealing with two separate land owners. For this reason, I must once again request the help of your office and the State Allocation Board.

Our project manager and our project design professionals now project an estimated date for obtaining final plan approvals from the Division of the State Architect to be July 2016. As our current Facility Hardship conditional approval requires the submittal of a complete funding application to the OPSC by March 20, 2015 - and DSA approval is a prerequisite to that filing - it is obvious that a time extension is necessary. To that end, I am submitting with this letter a formal request to the SAB for an eighteen month extension of the original approval to September 20, 2016. In support of the request, and as evidence that the District has taken the conditions of the SAB Facility Hardship approval very seriously, I have included detailed information regarding the District's project development activities over the last year and nine months. I hope that the OPSC and the SAB will agree that the District has made every possible effort to move the project forward in an expeditious manner.

Please find the following in support of our request:

- SAB Form 189 School District Appeal Request
- Attachment A to Form 189: Facility Hardship at Somis Elementary School
- Attachment B: Narrative Timeline
- Attachment C: Graphic Timeline
- Attachment D: SUSD Preliminary Site Plan (Showing the original site configuration)
- Attachment E: Proposed Somis School Site (Showing the current site and buffer zone)
- Attachment F: Somis School Site Concept (Indicating the facilities on the site)

On behalf of the Somis Union School District, our Board of Trustees, our students and our community I thank you in advance for your assistance with our request. If you have any questions or would like to discuss this matter further, please feel free to contact me at any time.

Sincerely,

Colleen Robertson Ed.D
Superintendent/Principal
Somis Union School District
crobertson@somisusd.org
(805) 386-8258

Attachment A to Form SAB 189, *School District Appeal Request*

Somis Union School District

Facility Hardship at Somis Elementary School

Application 51/72611-00-001

Purpose of Request:

To request that the State Allocation Board grant an 18 month extension to the Somis Elementary conceptual Facility Hardship approval of March 20, 2013.

Description:

Background:

On March 20, 2013, after considering extensive evidence provided by the Somis Union School District (District) that three natural gas pipelines adjacent to or bisecting the existing Somis Elementary School campus represented a health and safety risk to students, the State Allocation Board (SAB) granted a conceptual approval for the abandonment and replacement of the school on a new site. As a condition of the conceptual approval, the SAB required the District to ". . . file a complete SFP new construction funding application for the facility hardship funding application within 24 months. . . "

Actions Taken and Current Status of the Project:

A condensed history of the events leading to the decision to replace the Somis Elementary School as well as the many project development activities that have occurred to date is provided in Attachment B, *"School Development Timeline."* This same listing of events is shown in a slightly abbreviated graphical format in Attachment C, *"SUSD Site Historical Timeline."* Together, Attachments B and C describe the proactive and on-going response by the School Board and Administration of the District to the threat posed by the pipelines including the vigorous pursuit of the development of the replacement school following the SAB Facility Hardship approval.

Today the development of the new school project is well underway with significant progress completed on numerous required tasks, reviews and approvals. A recap of the project milestones and actions delineated in Attachments B and C follows:

- Final site
  - Site configuration has been finalized
  - Review and tentative approval by CDE. Final site approval pending EIR completion.
  - Agricultural buffer requirement solidified and incorporated
  - Division of Toxic Substance Control (DTSC) approval on original 10 acre for unrestricted use finalized. (DTSC approved PEA grant for review of Agricultural buffer zone. Completion expected June 2015.)
  - CEQA Initial Study complete
  - Purchase agreements completed and contingent offers authorized by the District Board

- Project Planning and Design in progress
    - Architectural firm of Gonzalez Goodale Architects in partnership with Mainstreet Architects and Planners engaged
    - Program manager hired
    - Master site plan and phasing plan for new school complete
    - Pre-construction contractor engaged
    - Construction documents in development

Extension Request

Overview: The State Allocation Board conceptual Facility Hardship approval allotted two years for the preparation and submission of a School Facilities Program (SFP) new construction funding application to the Office of Public School Construction (OPSC). As shown in the supporting materials included with this request, the District has diligently pursued the completion of the many requirements necessary for a completed application, with many key tasks nearly or entirely completed. However the unusual nature of the hazard confronting the District combined with the realities of site acquisition in an agricultural community have contributed significantly to time and resource demands. For the reasons briefly described below, the District requests an eighteen month time extension to September 20, 2016.

Emergency Safety Hazard: Even after the discovery and identification of the hazard on the school site created by the gas pipelines and the subsequent SAB approval of the Facility Hardship, the tasks related to the District's obligations to the parents and students continued:

- Continued meetings with utility company regarding gas line testing and safety
- Review of options for new school including prefabricated buildings
- Community outreach meetings
- Development of timelines and budget for new school

***Site Acquisition*:** By August of 2013, the District had identified three potential sites for the replacement school and had submitted them to the CDE for preliminary assessment. Only one 12 acre site was found viable. It consisted of a 10 acre parcel owned by a religious organization and an adjoining two acre parcel which was an unused portion of a larger 5 acre parcel owned by a church not affiliated with the owner of the larger parcel. The purchase of the parcels and the disposition of the existing site were under discussion with District legal counsel immediately thereafter. Based on the identification of an adequate site for the replacement school, a program manager was hired, a civil engineer was engaged and RFQs for CEQA consulting services and architectural services were issued. By February 2013 interviews with qualified architectural firms were being conducted. (Attachment D, *Somis School Preliminary Site Plan* shows the total site with early preliminary planning of the school. The two acre parcel is the protruding area with the large parking lot on the North side of the site.)

In March 2014, the owners of the 2 acre parcel unexpectedly refused access to the site and indicated an unwillingness to sell. This event resulted in an inadequate remaining site size (see the following paragraph regarding agricultural buffer requirements) and negated or altered all of the preliminary

planning work and much of the CDE preliminary site approval. Also adversely affected were CEQA and DTSC activities. In short, the loss of the 2 acre adjoining site was a major setback to the project development timeline.

Agricultural land use issues: In the wake of the loss of the 2 acre site, the District began to explore other options for additional acreage. At approximately the same time, the need for a buffer between the school site and adjacent land used for agricultural purposes materialized. A 150 foot buffer was negotiated on two sides of the site. The buffer effectively reduced the available 10 acre parcel to slightly less than six acres, which was totally inadequate for the proposed school. As a result, the District approached the owner of the adjacent farm land about the possibility of acquiring additional acreage. Discussions with the land owner continued into August and September 2014. DTSC and CDE were contacted for additional or revised approvals related to the proposed acreage. A Preliminary Endangerment Assessment (PEA) grant was obtained from DTSC for the now identified 5.85 additional acres.
(Attachment E *Proposed Somis School Site* shows the entire final site for the replacement school which is composed of the original 10 acre site plus the added 5.85 acres of agricultural land. The required buffer zone is also shown.)

Proposed schedule for completion and filing a complete funding application:
With the finalization of the site configuration, including the important buffer zone negotiations with Ventura County, the District has been able to move forward on project construction documents as well as bring to a close other required steps. (Please see Attachment F, *Somis School Site Concept,* for a site plan showing the final configuration including the proposed Somis school facilities.)
The remaining components necessary to meet the SAB requirement for filing a SFP funding application are projected to be completed on the following schedule:

- DTSC PEA approval (additional buffer property): ***Estimated completion June 2015***

- California Environmental Quality Act requirements ***Estimated Completion September 2015***

- CDE final Site approval: ***Estimated completion October 2015***
  (Requires CEQA and DTSC processes to be complete before it can be issued.)

- CDE Final Plan approval: ***Estimated completion November 2015***
  (Requires substantially complete plans and specifications)

- Final Plans submitted to Division of State Architect (DSA): ***Estimated December 2015***

- DSA final plan approval: ***Estimated completion July 2016***

- Complete funding application submitted to OPSC: ***Estimated completion August 2016***

Summary

The information provided in this request shows conclusively that the Somis Union School District has aggressively pursued the steps to develop a complete replacement school project reading for construction. Unanticipated land acquisition issues including an unexpectedly unwilling seller and special requirements for land buffers between the school and adjacent agricultural land have added significantly to the tasks to be completed and the time to complete them.

The project continues to move forward with the obstacles now identified and addressed. Completion of all requirements leading to submission to the DSA for final plan approval will be done by late 2015. While the DSA processes are beyond the control of the District and the project architect, we fully anticipate DSA approval in August 2016. Within approximately two weeks of that approval, the District will present a completed funding application to the OPSC. While we believe this could happen more quickly, the District is requesting an extension until September 20, 2016 to allow some flexibility for processing events beyond our control.

Based on the information attached, the District respectfully requests that the SAB grant an eighteen month extension to the conceptual Facility Hardship approval. The District commits its full efforts and available resources to completing all requirements by the end of that time, if not sooner.

SOMIS UNION SCHOOL DISTRICT

School Development Timeline

- **July 1, 2011** - Colleen Robertson is hired as the new Superintendent/Principal of Somis School District

- **November 29, 2011** - Discussions begin regarding the feasibility of putting a General Obligation (GO) Bond on the November 6, 2012 ballot for modernizing the Somis School.

- **December 13, 2011** - Several bond advisory companies make presentations to the Board of Trustees.

- **February 14, 2012** - Several more bond advisory companies present to the Board of Trustees.

- **March 5, 2012** - Initial meeting was held with an architect to begin constructing a project list and to look for opportunities to get matching state funds for school improvement.

- **May 2012**- Existence of high pressure gas lines on the school playground revealed during board meeting to discuss school improvements. District hires Terraphase (out of Oakland) to complete a pipeline risk assessment. Study reveals a 22 inch, 800psi natural gas line installed in 1951, running the length of the front of the school approximately 40 feet from the primary classrooms.

  Two other active natural gas pipelines are discovered in the back of the school, an 18 inch 600psi (installed in 1944) and a 16inch 300psi (installed in 1927). Both pipelines are located 30 inches below the dirt of the playground that children use every day. A petroleum line runs parallel to the gas lines. Met with a representative from Sempra (Southern California Gas Company), who adamantly claimed that there is no risk to our students from these high pressure gas lines.

- **July 2012**- Preliminary assessment identifies that the potential risk of gas line failure is 2.2 times higher than what the California Department of Education (CDE) considers safe.

- **August 2012**:

  - District determines pipeline to be imminent threat.
  - SUSD begins search for alternate sites and interim options.
  - Neighboring districts contacted to explore housing options. None found.
  - Meetings with utility, community, regulators, county and state officials to discuss safety measures & protocols.

- Relocation of lines explored with utility company. Rejected.
- Sempra maintains their stance that there is no risk or danger to our students.
- Meeting with Fire Department to establish emergency evacuation plans.

- **September, October 2012**:
  - Final assessment report determines risk to be 4.6 times higher than CDE acceptable limits.
  - CDE concurs site would not be approved for school purposes today.
- **October 2012** - District submits "Facility Hardship" request to the Office of Public School Construction (OPSC) to replace school on a new site.
- **November 2012** - District voters approve $9 million GO bond with a 67% majority.
- **December 2012** - A team of electrical, mechanical, and structural engineers complete a safety study of Somis School. Met with a representative from Channel Island University who received a state award for her safety plan to deal with the natural gas pipelines on the Channel Islands University campus.
- **January 2013** - Meetings with Superintendent at Mesa School to review history of building the "blast" wall in front of Mesa School to mitigate the danger of the 22 inch, 800 PSI natural gas line. This is the same line that runs the full length of our school less than 50 feet from the primary classrooms.
- **February 2013** - Began meeting with the Bond Oversight Committee. Concern about the proximity of the natural gas lines expressed by the committee.
- **March 20, 2013** - Meeting with State Allocation Board (SAB) held. First order of business at the meeting was to move discussion of the Facilities Hardship Application from an action item to the consent agenda. SAB grants conceptual approval to place Somis School on the list for Facilities Hardship funding to replace school on a new site.
- **April 2013** – Began developing conceptual designs for new school.
- **May 2013**:
  - Met with representative from the Sempra. Sempra agreed to move up the hydro testing of line 404 (may be the result of a letter we sent to PUC requesting help in getting SEMPRA to perform safety tests). Testing will take place between June 13 and July 20, 2013. Told by a Sempra representative that the results of the

test will not be shared with school officials because they will be proprietary information.

- Met with representative from a company that makes prefabricated buildings. Maybe a money saving alternative for our new school construction.

- Visited potential building sites for new school with George Shaw (CDE), and Jim Bush (School Site Solutions). Only one of three sites is viable for the new school construction. A 12-acre school site identified consisting of a 10 acre parcel and 2 undeveloped acres of a 5-acre existing church property.

- **June 20, 2013** - Community meeting held to discuss the pipelines and plans for new school construction. Presenters were from the California Department of Education (CDE), Terraphase, architect and School Site Solutions. Community invited using robo call list from the bond campaign.

- **July 26, 2013** – Began working with an architect to develop a timeline for the beginning date of construction of our new school.

- **August 5, 2013** – Meetings held to discuss strategy to purchase of identified property. The disposition of current school site also being considered.

- **August 29, 2013** – Held second community meeting to discuss the pipeline and the plans for new school construction. Same group of presenters as in the June 20th meeting with updated message. Community invited through flyers inserted in their water bill.

- **September 2013**:

  - Board presentation from Jon Isom regarding the sale of our first Bond issuance. Investigating possible vendors to assist us with the purchase of school site.

  - September 25, 2013 - Superintendent went to San Francisco to speak before a panel at Standard and Poor's in an effort to get a good rating of our bonds. We received an AA-rating.

- **October 2013**:

  - Sale of Series - A bonds will yield a little under 4 million dollars to begin the process of buying land, hiring architects, begin land and soils reports.

  - Local paper, the Acorn runs a story about Somis School and the three high pressure gas lines on our campus.

- **November 2013** - Met with Steve Nishimori, the farmer on the 10 acre property. Continued conversations with the owners of the 2-acre property.

- **December 2013**
  - Initial meeting with representatives of the owners of the 10-acre property. Continued efforts to meet with owners of the 2-acre property.
  - Third meeting with County Supervisor Linda Parks to discuss the use of agricultural land for our new school. She suggested we look at Green Schools Grants.
  - Hired Program Manager, S.L. Leonard & Associates.
- **January 2014**
  - Developed Request for Qualifications (RFQ) for architect and CEQA Consultant
  - Civil Engineer engaged.
  - Alternate site investigation in accordance to CDE requirements is completed.
- **February 2014** – Began meeting with potential architectural firms. Arranging to visit "newer" school sites. Visited several sites over the next few weeks.
- **March 2014**
  - Began screening process for hiring architectural firm.
  - The owners of the 2-acre parcel refused access to the site and refused to sell their property.
  - 2014 - Interviewing law firm to assist in the process of negotiating and purchasing land.
  - Begin meetings with Dr. Klein-Williams to discuss the programmatic changes that will need to take place to become a STEAM School.
  - Began discussions with construction companies to learn more about Lease/Lease Back option.
  - Conducted a radio interview on National Public Radio (NPR) regarding our high pressure gas lines. Working with the Department of Toxic Substance Control (DTSC) to complete soils testing on 10 acre property.
- **April 2014**
  - Interviews for potential architects for our new school project.

- Hired Gonzalez Goodale Architects in partnership with Mainstreet Architects and Planners.

- **May 2014** - Began brainstorming meetings with architects regarding educational philosophy, school mission and goals, building and program design, budgets and timelines. Met with Ventura County Agriculture Commissioner, Henry Gonzalez to discuss the need to build on agricultural land. He is supportive. Met with State Agricultural Commissioner, Karen Ross and with Rob Corley, CDE. Solidified plan to build a school that focuses on Science, Technology, Engineering, Art, and Mathematics, all under the umbrella of Agriculture.

- **June 2014**

  - Discussions regarding the need for an agricultural buffer on the 10-acre piece of property. 150 foot buffer would leave slightly over 5 acres for the school buildings and play area. Spoke with Jeanie Myer owner of the property surrounding the 10 acres. Broached the subject of needing to purchase an additional 4 to 5 acres. Continued to meet with the architects to develop conceptual design.

  - Discussed the option of hiring a consulting firm to spearhead the capital campaign to help develop a capital campaign to bridge the gap between the cost of the school and the Bond plus potential Hardship funds. Met with Pilar Pecheco from the Channel Islands University to discuss partnership in developing our STEM program.

- **July 2014**

  - Began to work with our law firm to develop land purchase agreement. Meeting held with capital campaign consultant to identify informants, contributors and partners.

  - Project Team determines that additional 5.85 acres must be required to comply with 150' Agricultural Buffer Requirement. Apply for DTSC Grant for Preliminary Endangerment Assessment (PEA) for this additional land

- **August 2014** - Master site plan and phasing site plans for new school completed and approved.

  - CEQA Initial study completed.

  - DTSC Approves PEA Grant for 5.85 additional acres required for AG Buffer.

  - Developed parent and staff trainings for new STEAM curriculum.

- Additional meetings were held with architects and the owners of the Bell Ranch property regarding the purchase of an additional 4-5 acres to allow for the required agricultural buffer surrounding the 10-acre property.
- RFQ is issued to potential pre-construction contractors.

➢ **September 2014**

- September 2014 - Kickoff team meeting with newly hired construction firm and architects. Continued to work with capital campaign consultant to develop a case statement and feasibility study.

➢ **October 2014**

- Contingent purchase offer authorized by school board.
- Environmental Impact Report (EIR) Scoping meeting is held at Somis School. No detractors in attendance. Superintendent attended a pipeline safety meeting in Ventura with the School Board President. Superintendent participated in half a dozen meetings with potential partners in business and agricultural community for our capital campaign.
- Original 10-Acre site was approved for unrestricted use by DTSC. SUSD received a Targeted Site Investigation (TSI) grant from DTSC.

➢ **November 2014** - Final preparations to documents requesting extension of our facilities hardship application to the State Allocation Board completed.

THE FOLLOWING ARE PROJECTED TIMELINES FOR FUTURE ACTIVITIES INCLUDING THE FINAL APPLICATION FILING WITH THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION (OPSC)

➢ **May 2015**

- Draft EIR issued for required comment 45-day period.
- Application extension request filed with SBA.

➢ **June 2015** - DTSC approves PEA for additional agricultural buffer property.

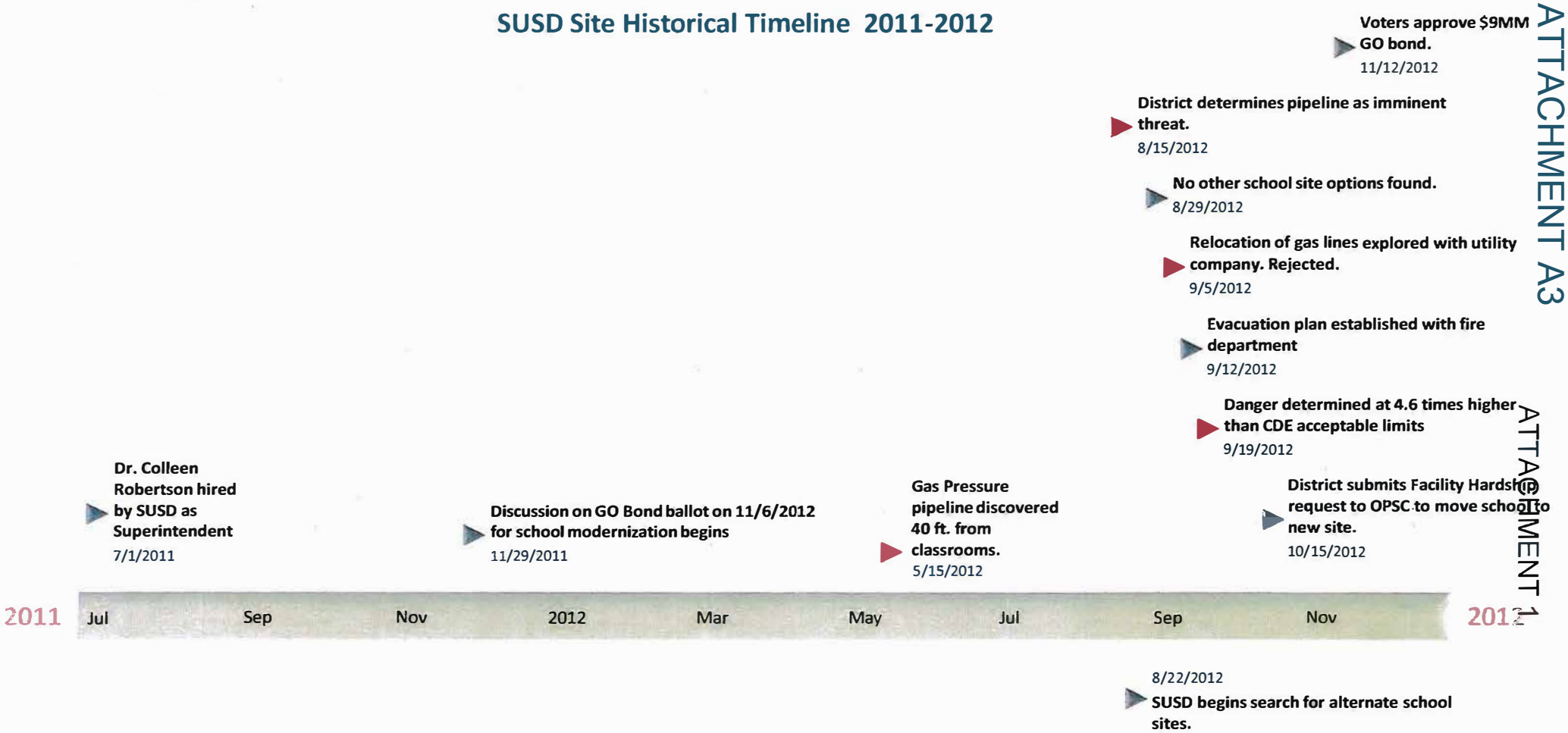
➢ **September 2015** - EIR certified, CEQA requirements complete.

➢ **October 2015** - CDE final site and plan approval.

➢ **December 2015** - Final plans submitted to Division of the State Architect (DSA). Current schedule reflects this date for construction estimate purposes.

- **July 2016** -DSA approval.
- **August 2016** - Complete funding application filed with the OPSC and SAB.

SUSD Site Historical Timeline 2011-2012



ATTACHMENT A3

ATTACHMENT 1

SUSD Site Historical Timeline 2013

Meeting with Mesa School to review the construction of a "blast wall" at that school as protection from the same gas line pipe running through Somis School.
1/1/2013

SAB grants conceptual approval for Facilities Hardship funding.
3/20/2013

Visited three potential school sites. Only one found acceptable.
5/21/2013

Purchase of 12-acre property & present school disposition discussed.
8/5/2013

Meetings held with the owners of the 12-acre properties.
11/13/2013

Project Management firm S.L. Leonard & Associates hired.
11/23/2013

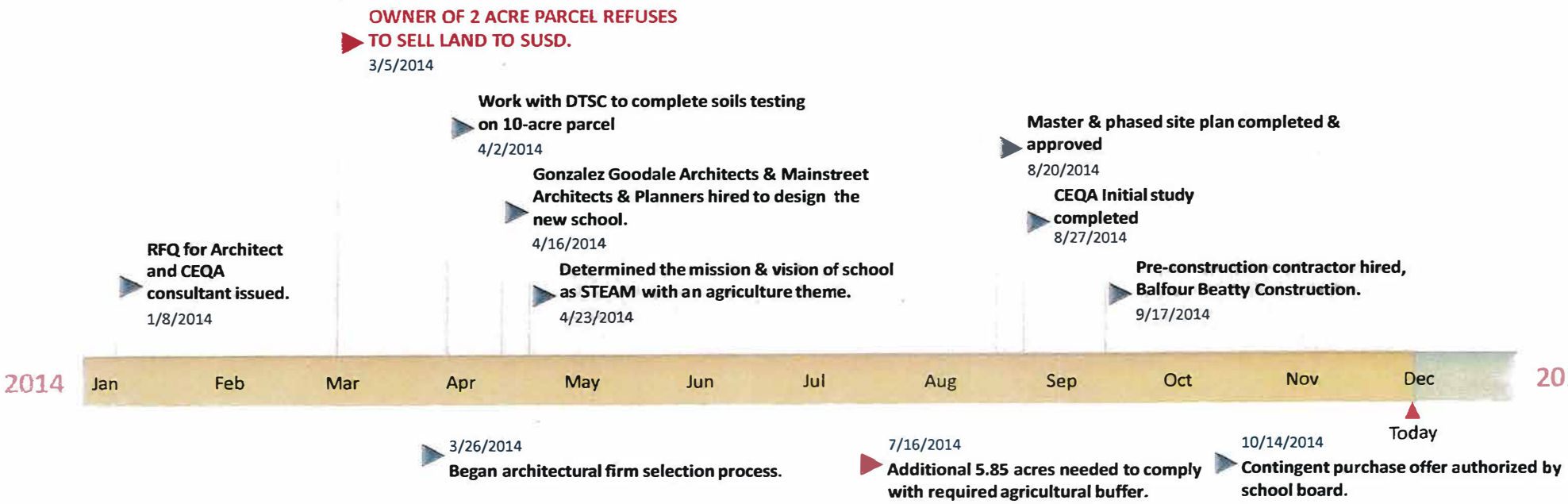
2013 Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec 2013

4/15/2013
Conceptual design for new school started.

9/25/2013
Bond receives AA rating; 4MM yield used for geotechnical report, land purchase & hiring of architect.

ATTACHMENT 1

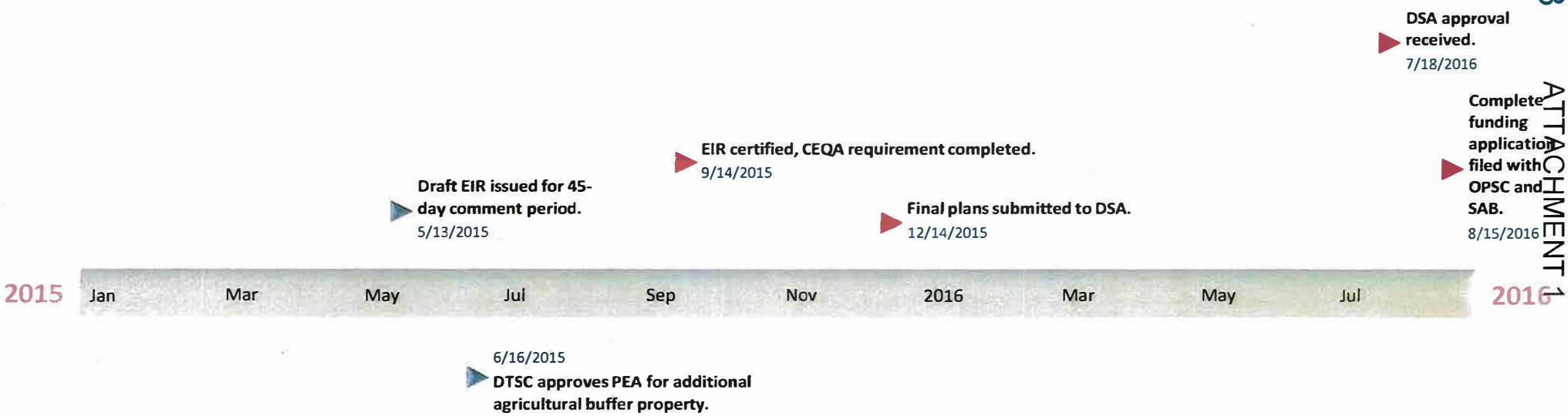
SUSD Site Historical Timeline 2014



ATTACHMENT A3

ATTACHMENT 1

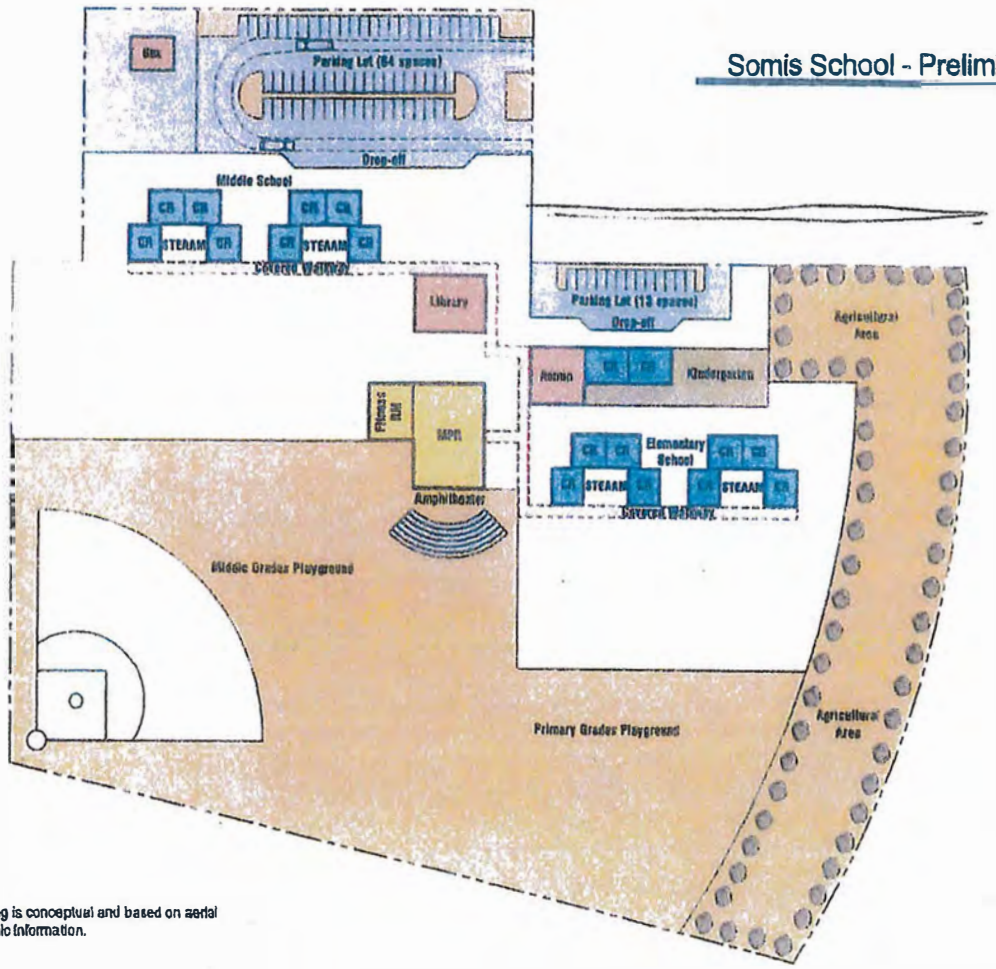
SUSD Site Historical Timeline
2015-2016 Projected Activities



ATTACHMENT A3

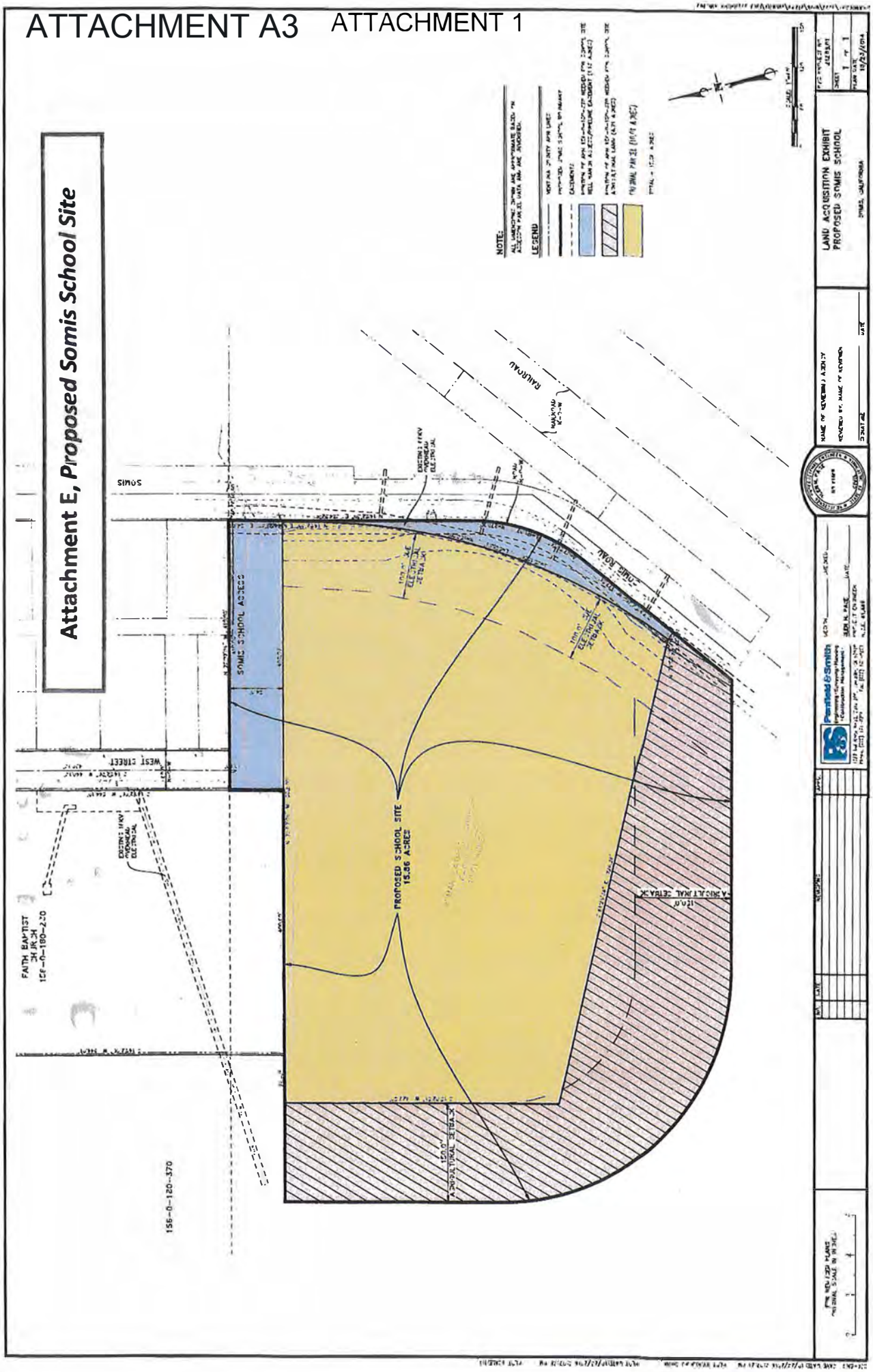
ATTACHMENT 1

Attachment D, *Somis School Preliminary Site Plan*



Disclaimer:
This drawing is conceptual and based on aerial photographic information.

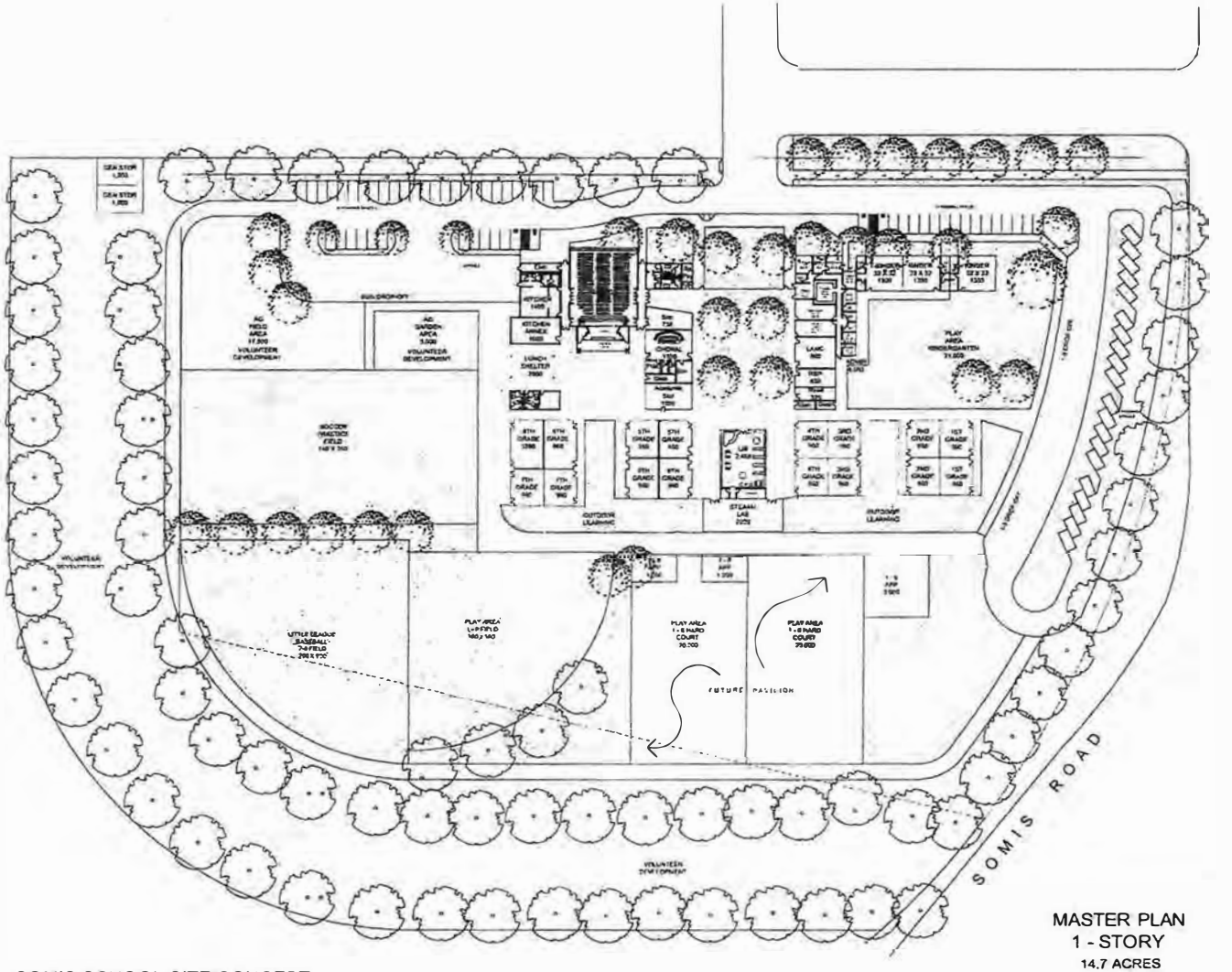
ATTACHMENT A3 ATTACHMENT 1



ATTACHMENT A3

ATTACHMENT 1

Attachment F, Somis School Site Concept



SOMIS SCHOOL SITE CONCEPT
SOMIS UNION SCHOOL DISTRICT
GONZALEZ GOODALE ARCHITECTS MAIN STREET ARCHITECTS

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, March 20, 2013

SCHOOL DISTRICT DATA	
School District: .....SOMIS UNION	County:..... VENTURA
Application Number: 51/72611-00-001	School Name:..... SOMIS ELEMENTARY
Total District Enrollment: 398	Project Grade Level:.....K-8
Financial Hardship:.....NO	

PURPOSE OF REPORT

To present the District's request for conceptual approval for the abandonment and replacement of site and facilities at the Somis Elementary School, pursuant to the School Facility Program (SFP) Facility Hardship Regulation Section 1859.82(a).

DESCRIPTION

The District is requesting conceptual approval for the abandonment and replacement of the site and facilities at the Somis Elementary School due to the risk associated with hazardous material pipelines bisecting and adjacent to the site. The District, while in the planning stages of renovating the existing Somis Elementary School, identified high pressure natural gas pipelines located directly in front of the school site and under the playfield and eating areas (Attachment B).

A pipeline review conducted by the District's consultant, Terraphase Engineering, revealed a total of four pipelines: three natural gas pipelines and one crude oil transmission pipeline. Using the 2007 California Department of Education (CDE) "Guidance Protocol for School Site Pipeline Risk Analysis" (CDE Protocol), that is primarily used for new school sites, Terraphase determined that the three natural gas pipelines exceeded the CDE's recommended risk threshold for hazardous material pipelines.

Previous facility hardship projects with health and safety threats due to risks from gas pipelines received a State level review and a letter of concurrence from the Department of Conservation, California Geological Survey (DOC). At the time, the DOC had an expert that was able to review, verify and provide concurrence to the issues submitted in engineers' reports and assessments. However, the DOC staff professional retired and there is no longer a person with that expertise. The staffs from both OPSC and CDE have not found another state agency that is able and willing to perform this review.

Given the health and safety risk to students, the District is requesting conceptual approval for the abandonment and replacement of the site and facilities. Because there is not a government agency available to provide concurrence, Staff is presenting this item for Board consideration as an action item.

AUTHORITY

See Attachment A.

BACKGROUND

The school facilities were constructed in 1895 and consist of 12 classrooms, a library, cafeteria, kitchen, multi-purpose room, bus barn, physical education and administration space. The District was in the planning stages of renovating the Somis Elementary School site when it conducted a pipeline assessment to meet the CDE requirements for plan approval for construction on school sites.

(Continued on Page Two)

BACKGROUND (cont.)

The risk analysis conducted by Terraphase Engineering revealed a total of four pipelines: three natural gas pipelines and one crude oil transmission pipeline. The three natural gas pipelines were determined to exceed CDE's recommended risk threshold for hazardous pipelines, that is, an individual annual fatality risk of one in one million.

The CDE Protocol also recommends the determination of a Population Risk Index (PRI) that estimates the number of fatalities on the site should there be a pipeline rupture and ignition. The estimated PRI prepared by Terraphase Engineering indicated that all students and staff could be fatally injured from a rupture and jet fire emanating from the larger pipelines during school hours. Up to half the school would be at a significant risk of fatal injury from a rupture jet fire on the smaller pipeline.

As summarized in the following chart, the Terraphase Engineering report indicates that the site has a risk 4.6 times greater than the individual risk threshold recommended in the CDE Protocol. The CDE Protocol does not provide a recommended threshold for the PRI, and it is incumbent upon school district governing boards to determine an acceptable PRI.

Total Individual Risk at the Site*

Pipeline Identifier	Pipe Diameter (in Inches)	Total Pressure Level (in pounds per square inch)	Site Risk vs. CDE's Recommended Threshold
Line 406	22	797	0.3 times
Line 404	19	650	1.7 times
Line 37	16	300	2.6 times
		Total Risk:	4.6 times

* From Terraphase Engineering's *Stage 3 Pipeline Risk Assessment Report*

On October 22, 2012, CDE issued a letter to the District stating that the CDE lacked the technical expertise to review the Terraphase Engineering report; however, the CDE states that the site could not be approved as a school site based on current school siting laws and regulations. The letter further states that "Education Code 17213 and Public Resources Code 21151.8 prohibit the siting of a public school on property containing pipelines such as those that bisect the Somis site. These code sections were not in law when the district acquired the site, but if the district were to consider such a site today, the noted code sections would prohibit acquisition."

At a District board meeting on July 24, 2012, the District determined that the potential health, safety and welfare risks associated with the natural gas pipelines were an imminent threat to the students, staff and community programs utilizing the site, and the District board directed District staff to seek alternative school sites and interim housing options. Based on the District's board action, the District is unable to make the certifications necessary to obtain CDE plan approval for any rehabilitation, replacement, modernization, construction, or alteration on the Somis Elementary school site. The District plans on relocating and replacing the existing Somis Elementary School.

Current Status of School Site

The District is still operating the school site while it seeks to find alternative school sites and interim housing options. The District has only one K-8 elementary school and does not own additional school facilities; therefore, the District has contacted the Ventura County Superintendent of Schools, Mesa Union Elementary School District, Moorpark Unified School District, Pleasant Valley School District, Oxnard Elementary and High School Districts for potential interim housing options. The District has indicated that the contacted districts do not have sufficient available capacity to temporarily accommodate the Somis students.

(Continued on Page Three)

STAFF ANALYSIS/STATEMENTS

Government Level Concurrence
Historically, Staff has relied on a governmental agency to provide an independent review of industry specialist reports because Staff lacks the expertise to review these reports. Projects with health and safety threats due to risks from gas pipelines typically received a State level review and a letter of concurrence through the DOC. At the time, the DOC had an expert that was able to review, verify and provide concurrence to the issues submitted in engineer's reports and assessments. However, the DOC staff professional retired and there is no longer a person with that expertise.

Staff has previously informed the Board that the University of California Berkeley – Center for Catastrophic Risk Management (UCB) is willing to provide a third-party review. CDE staff has advised OPSC that the CDE anticipates a contract with UCB to be in place by July 1, 2013.

Summary
Staff has reviewed background information submitted by the District (Attachment C) and the Terraphase Engineering report. Staff has also reviewed a letter from Southern California Gas Company, which confirms the location and maximum allowable operating pressure of the pipelines.

Due to the health and safety issues associated with the pipelines on and adjacent the school site, and the similarity of the pipeline request to prior approvals, Staff supports the District's request.

RECOMMENDATIONS

1. Approve District's request for conceptual approval to abandon and replace the Somis Elementary School due to health and safety issues pursuant to the SFP regulation Section 1859.82(a).

2. Provide a maximum of 253 pupil grants for the replacement school, based on current enrollment, which will be subject to verification of the complete funding application and construction plans.

3. Provide that the site acquisition costs are consistent with the California Department of Education recommended site size.

4. Provide that the District must file a complete SFP new construction funding application for the facility hardship replacement funding application within 24 months of this approval, pursuant to Regulation Section 1859.82 (c).

5. 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 availability of funds.

6. Provide that if the District opts to sell the existing site, 50 percent of the net proceeds will be remitted to the State.

7. 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.

This Item was approved by the State Allocation Board on March 20, 2013

ATTACHMENT A

AUTHORITY

California Code of Regulations Title 5, Section 14010(h), which provides requirements for school site selection, states:

> The site shall not be located near an above-ground water or fuel storage tank or within 1,500 feet of the easement of an above-ground or underground pipeline that can pose a safety hazard as determined by a risk analysis study, conducted by a competent professional, which may include certification from a local public utility commission.

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 17213 states:

> The governing board of a school district may not approve a project involving the acquisition of a school site by a district unless all of the following occur:
>
> (a) The school district, as the lead agency, as defined in section 21067 of the Public Resources Code, determines that the property to be purchased or to be built upon is not any of the following:
>
> ....
>
> (3) A site that contains one or more pipelines, situated underground or above ground, that carries hazardous substances, extremely hazardous substances, or hazardous wastes, unless the pipeline is a natural gas pipeline that is used only to supply natural gas to that school or neighborhood.

Public Resources Code 21151.8(a) states:

> An environmental impact report shall not be certified or a negative declaration shall not be approved for a project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district unless all of the following occur:
>
> (1) The environmental impact report or negative declaration includes information that is needed to determine if the property proposed to be purchased, or to be constructed upon, is any of the following:
>
> (C) A site that contains one or more pipelines, situated underground or above ground, that carries hazardous substances, extremely hazardous substances, or hazardous wastes, unless the pipeline is a natural gas line that is used to supply natural gas to that school or neighborhood, or other nearby schools.

School Facility Program (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 the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk.

ATTACHMENT A3 ATTACHMENT 2

SFP Regulation Section 1859.82 states, "If the district qualifies for a new or replacement school...the district is eligible for a New Construction Grant as a new construction project for the lesser of the pupils housed in the replaced facility based on loading standards pursuant to Education Code Section 17071.25(a) or the latest CBEDS enrollment at the site."

SFP Regulation Section 1859.82 further states, "A district may request a determination of eligibility for facility hardship funding in advance of project funding."

ATTACHMENT B

Aerial Photograph from GoogleEarth Professional

N

0' 200' 400'

SAFETY FIRST	CLIENT: Somis Union School District	Pipeline Locations
terraphase engineering	PROJECT: Pipeline Risk Assessment	
	PROJECT NUMBER: 0040.001.001	FIGURE 2

File Name: figure 2 - pipeline locations.docx drawn by: jrr checked by: ag

ATTACHMENT A3

ATTACHMENT 2

ATTACHMENT C

Somis Union School District

Conceptual Facility Hardship Request

Somis Elementary School

October 26, 2012

SOMIS UNION SCHOOL DISTRICT

CONCEPTUAL FACILITY HARDSHIP REQUEST FOR SOMIS ELEMENTARY SCHOOL

I. REQUEST FOR FACILITY HARDSHIP CONCEPTUAL APPROVAL

The Somis Union School District is hereby requesting a Conceptual Facility Hardship Approval for the relocation and replacement of the Somis Elementary School due to unacceptable health, safety and welfare risks associated with Southern California Gas Company (a subsidiary of Sempra Energy Utility Company) high pressure natural gas pipelines located directly in front of the school site and under the playfield and eating areas as follows (an aerial photo of school site with pipeline locations is set forth in Terraphase Engineering, Pipe lineRisk AssessmentReport, Exhibit 1):

A. A 22-inch diameter, 797 pounds per square inch (psi) natural gas pipeline (Line 406) installed in 1951 is buried directly in front of the school along North Street.

B. An 18-inch diameter, 650 psi natural gas pipeline (Line 404) installed in 1944 buried beneath the school playground approximately 50 feet from the student's lunch area.

C. A 16-inch diameter, 300 psi natural gas pipeline (Line 37) installed in 1960 buried beneath the school playground approximately 60 feet from the student's lunch area.

D. In addition, a crude oil transmission pipeline also crosses the school playground.

An analysis completed by Terraphase Engineering, included in Exhibit 1, determined that the risk posed by the natural gas pipelines to the school population is 4.6 times greater than the risk that the California Department of Education (CDE) considers "safe."

In addition the analysis states, "... should a rupture-jet fire event occur near the Site during school hours, the Population Risk Indicator (PRI) for the site population would be approximately 320 people out of 320 people for the 18 and 22-inch natural gas pipelines. This means that if a rupture-jet fire were to occur near the Site in a given year along the SoCal Gas 18 and 22-inch natural gas pipelines, approximately 320 people at the Site would be seriously or fatally injured..."

Figure 1 below is an example of a rupture jet fire that occurred in Carlsbad, New Mexico in 2000. There were 12 people camped out 700 feet away from the location of the Carlsbad pipeline rupture jet fire. All of them died. The New Mexico pipeline was larger than the natural gas pipeline located in front of the Somis Elementary School (30 inch vs. 22 inch) however the Somis 22 inch pipeline has a higher operating pressure than the New Mexico pipeline (797 pounds per square inch (psi) vs. 675 psi). In addition, the 18 inch natural gas pipeline located under the Somis Elementary School playfield operates at close to the same pressure as the New Mexico pipeline (675 psi vs. 650 psi).

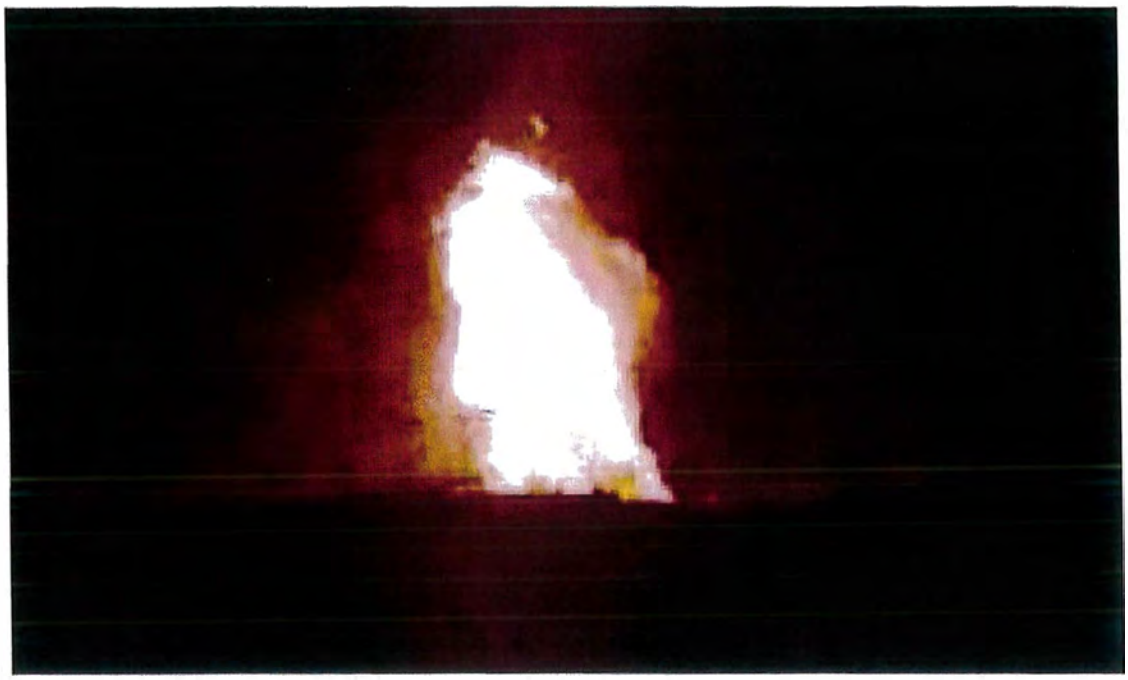


Figure 1: Carlsbad New Mexico Rupture Jet Fire – the Towers in the foreground are 85 feet high.

Also for reference, the San Bruno natural gas pipeline that ruptured in 2010 was 30 inches in diameter, operating at 375 psi.

II. BACKGROUND AND TIMELINE OF EVENTS

The Somis Union School District (District) was in the planning stage of renovating the Somis Elementary School site, which has served students in kindergarten through the eighth grade since 1895, when a pipeline assessment was conducted to meet Title 5 requirements for construction on school sites.

The initial pipeline review conducted in May / June 2012 revealed a total of four pipelines, three natural gas pipelines and one crude oil transmission pipeline, which are located under the playground and at the front of the school site. The three natural gas pipelines were also determined to be well above the CDE definition of hazardous pipelines, which is a high-pressure pipeline operating at a pressure of 80 pounds per square inch (psi).

In July 2012, a preliminary hazardous pipeline risk assessment was completed for the three natural gas pipelines to determine potential risk. The preliminary assessment determined the health, safety, and welfare risk to students and staff due to the natural gas pipelines to be 2.2 times greater than the risk CDE considers "safe." However, after the District received additional information from Sempra and Southern California Gas Company, a higher risk was determined based on CDE 2007 pipeline risk

protocol. The final hazardous pipeline risk assessment dated September 26, 2012, determined that the health, safety and welfare risk to students and staff due to the natural gas pipelines to be 4.6 times greater than the risk that CDE considers "safe" for school sites.

The Somis Elementary School campus houses the District office and a comprehensive K-8 school. The school's large playground and lighted fields serve both the school and the community, which includes baseball, football and soccer leagues, The Boys and Girls Club of Camarillo, and 4-H groups. (A school site map is set forth in Exhibit 2.)

Therefore at a District Board meeting on July 24, 2012, the potential health, safety and welfare risks associated with the natural gas pipelines were determined to be an imminent threat to students, staff and community programs utilizing the school site, and the District Board advised District staff to seek alternative school sites and interim housing options.

Since the District has one K-8 elementary school and does not own additional school facilities, the District Administration and Board contacted Ventura County Superintendent of Schools, Mesa Union Elementary School District, Moorpark Unified School District, Pleasant Valley School District, Oxnard Elementary and High School Districts for potential interim housing options.

In addition, on August 13, 2012, Colleen Robertson, Superintendent of Somis Union School District called a meeting between Sempra, and a number of members of the community leadership. Those present included: Linda Parks, Ventura County Supervisor; Scott Mier and Bob Fulkerson, Somis Union School District Board of Education; Paul Clanon, Executive Director, California Public Utilities Commission; Jeff Prat, Ventura County Public Works; Bryan Vanden Bossche and Kelly White, Ventura County Fire Department; Gaylaird Christopher, Architect 4 Education, Inc.; Steven Davis; Robert Powers, York; Elizabeth Atilano, JPA, VCOE; George Shaw, California Department of Education; Michelle Pettes, Southern California Gas Public Relations; Michael Mizrahi, Southern California Gas Public Relations and Edward Wiegman, P.E. Technical Service Manager, Gas Transmission, Sempra representatives. Jeff Raines, Terraphase Engineering Inc. was present to ask clarifying questions of representatives from Sempra and to discuss potential safety measures and protocols.

On August 20, 2012 the District met with Bryan Vanden Bossche, from the Ventura County Fire Department to establish an Emergency Evacuation Plan for students and staff until the school can be relocated to a new location.

III. GOVENMENTAL CONCURRENCE

On October 2, 2012 a request was submitted to the California Department of Education (CDE) to review and concur that the Terraphase Engineering hazardous pipeline risk assessment dated September 26, 2012 is in accordance with the CDE 2007 pipeline risk protocol. The letter also requested CDE to review the existing school site to determine whether or not it would meet current Title 5 requirements as specifically related to hazardous pipelines set forth in ***California Code of Regulations (CCR),*** Title 5, Section 14010 (Selection of School Sites) and **California Education Code 17213**.

Section 14010(h) states in part: *"The site shall not be located...within 1500 feet of the easement of an above ground or underground pipeline that can pose a safety hazard as determined by a risk analysis study, conducted by a competent professional..."*

California Education Code Section 17213 specifies that, *"The governing board of a school district may not approve a project involving the acquisition of a school site by a school district, unless all of the following occur:*

(a) The school district, as the lead agency, as defined in Section 21067 of the Public Resources Code, determines that the property purchased or to be built upon is not any of the following:

(1) The site of a current or former hazardous waste disposal site or solid waste disposal site, unless if the site was a former solid waste disposal site, the governing board of the school district concludes that the wastes have been removed.

(2) A hazardous substance release site identified by the Department of Toxic Substances Control in a current list adopted pursuant to Section 25356 of the Health and Safety Code for removal or remedial action pursuant to Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code.

(3) A site that contains one or more pipelines, situated underground or aboveground, that carries hazardous substances, extremely hazardous substances, or hazardous wastes, unless the pipeline is a natural gas line that is used only to supply natural gas to that school or neighborhood.

Note: the Southern California Natural Gas pipelines identified above are transmission lines that serve areas beyond the school and neighborhood.

The CDE response letter dated October 22, 2012 in Exhibit 3 concurs that the site would not be able to be approved as a school site based on current laws and regulations regarding hazardous pipelines. The letter states that "Education Code 17213 and Public Resources Code 21151.8 prohibit the siting of a public school on property containing pipelines such as those that bisect the Somis site. These code sections were not in law when the district acquired the site, but if the district were to consider such a site today, the noted code sections would prohibit acquisition."

Upon the recommendation of Office of Public School Construction (OPSC) staff, the District also contacted the Dr. Tony Hare at the Center for Catastrophic Risk Management (CCRM), University of California Berkeley to complete a third party review of the Terraphase Engineering hazardous pipeline risk assessment. However, as of this application submittal date, the CCRM is not completing third party analyses. As stated in the CDE letter dated October 22, 2012, CDE is pursuing a contract with CCRM to complete reviews of pipeline risk assessments in the future. As of the date of this submittal, no contract has been implemented.

It is important to note that under current law and regulations, the Somis school site is considered an unacceptable site due to the location of hazardous pipelines (on the school site) regardless of hazardous pipeline assessment determination.

IV. OPTIONS FOR RELOCATING SOMIS ELEMENTARY SCHOOL

The Somis Union School District has considered potential mitigation options related to the hazardous natural gas pipelines located on and adjacent to the Somis Elementary School site, and has determined that remaining on the existing elementary school site on a long term basis is not an acceptable risk to students and staff. Therefore, the District is seeking potential short and long term housing options for relocating and replacing the Somis Elementary School as follows:

A. Interim Housing

1. Five school districts were contacted (Mesa Union Elementary, Moorpark Unified, Pleasant Valley, Oxnard Elementary, and Oxnard Union High) as well as the Ventura County of Superintendent for potential interim housing options. However, no adequate space was determined to be available to house the Somis Elementary School students and staff.

2. Private options were reviewed: local church space and potential properties available for interim portable school facilities however, the District is financially restricted and does not currently have the capital facilities funds to support an interim portable village or rent for a privately owned facility. The estimated interim village cost for three years is $1,097,572.

3. The District does have a G.O. Bond on the November 2012 ballot and if this passes, the District would be able to relocate the school to an interim portable village until a new school can be constructed on a new school site.

B. Relocation of School Site

Two properties have been identified for potential relocation; one is a property directly south of the existing school (within the same neighborhood, but at a safe distance from the pipelines) and the

other is a property across from the Camarillo Library that is owned by the Oxnard Union High School District. Both properties could also be used for an interim portable village.

C. Other Mitigation Options Considered

Several other mitigation options to stay on the existing school site were reviewed; however none of the mitigation options considered would adequately reduce the health, safety, and welfare risk to a safe level on a long term basis. The District also questioned the Southern California Gas Company about rerouting the lines, which the Southern California Gas Company declined to consider.

V. COST OF RELOCATION AND REPLACEMENT OF EXISTING SOMIS ELEMENTARY SCHOOL

The estimated cost to relocate and replace Somis Elementary School is $18,165,649 (includes estimated site development and site acquisition costs), and the estimated three year interim housing costs are $1,097,572. The replacement cost estimate is based on replacing the existing Somis Elementary School facilities as set forth in Exhibit 4. The detailed cost estimate is set forth in Exhibit 5.

A cost benefit analysis is set forth in Exhibit 6.

ATTACHMENT A3

ATTACHMENT 3

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 1859.61(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 the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk.

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 1859.82 also states, "If the district qualifies for a new or replacement school...the district is eligible for a New Construction Grant as a new construction project for the lesser of the pupils housed in the replaced facility based on loading standards pursuant to Education Code Section 17071.25(a) or the latest CBEDS enrollment at the site."

SFP Regulation Section 1859.82 further states:

> 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 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.

ATTACHMENT 3

AUTHORITY (cont.)

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 1859.95.1(a) states:

When the Board has Insufficient Bond Authority to apportion the School District's funding request on the Form SAB 50-04, the following will apply:

(1) The Office of Public School Construction (OPSC) will receive and determine if the Form SAB 50-04 is an Approved Application. To be placed on the Applications Received Beyond Bond Authority List, the Approved Application for funding shall be accompanied by a school board resolution, as specified in paragraph (b) of this Section. The OPSC will not determine if the Approved Application is ready for Apportionment.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

SCHOOL DISTRICT DATA	
School District: ..... WEST CONTRA COSTA UNIFIED	County:..... CONTRA COSTA
Application Number:..... 58/61796-00-003	School Name: ..... CRESPI JUNIOR HIGH
Total District Enrollment:..... 30,973	Project Grade Level: 7-8
Financial Hardship: ..... NO	

PURPOSE OF REPORT

To present the District's request for an 18-month time extension to submit a complete Seismic Mitigation Program (SMP) funding application for the previously approved conceptual approval for the seismic mitigation of the Gymnasium Building at Crespi Junior High in El Sobrante, California.

DESCRIPTION

The District received a conceptual approval for the seismic mitigation of the Gymnasium Building at Crespi Junior High with an estimated cost of approximately $1.9 million under the School Facility Program (SFP) Regulations at the February 2015 State Allocation Board (Board) meeting. This approval required the District to submit a complete funding application by August 24, 2016. The District has had several seismic mitigation projects in progress over the last two years, and due to the number of projects in progress, this project at the Crespi Junior High site has been delayed. The District anticipates securing a project architect in the very near future and expects to submit plans to the Division of the State Architect (DSA) in in order to obtain plan approval by the fall of 2017. The District is requesting an 18-month extension of the conceptual approval, through February 24, 2018.

AUTHORITY

See Attachment 1.

BACKGROUND

On August 1, 2016, the Office of Public School Construction (OPSC) received the District's request for extension of a conceptual approval for a seismic mitigation project at Crespi Junior High (see Attachment 2). The District was originally granted conceptual approval for this seismic mitigation of the Gymnasium Building at Crespi Junior High at the February 2015 Board meeting (see Attachment 3). The approval required the District to submit a complete funding application along with all of the required approvals by DSA and the California Department of Education by August 24, 2016. The extension request was received prior to the due date.

STAFF ANALYSIS/STATEMENTS

In addition to this conceptual approval for SMP funding for the Crespi Junior High site, West Contra Costa Unified received approvals for four additional SMP rehabilitation projects in 2015. Of these, the District received funding through the Priority Funding Process for two projects while the third apportionment was rescinded due to non-participation. The fourth approval was another conceptual approval, and the District was able to submit a full grant funding application before that conceptual approval expired.

Due to the high volume of West Contra Costa Unified SMP projects in process, Staff supports the District's request.

(Continued on Page Two)

RECOMMENDATIONS

1. Grant the District an 18-month time extension from August 24, 2016 until February 24, 2018, for the submittal of a complete SMP funding application for the Crespi Junior High School Gymnasium.

2. Provide that all other provisions contained in the District's original approval from February 24, 2015 shall remain in full effect, as shown on Attachment 3.

ATTACHMENT 1

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 1859.82 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 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 1859.82(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 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 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, 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.

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

If an Application for the seismic mitigation of the Most Vulnerable Category 2 Buildings cannot be fully apportioned or approved for placement on the Unfunded List (Lack of AB 55 Loans) because insufficient funding is available, the applicant may accept the remaining funding amount or refuse funding entirely. If partial funding is accepted, the applicant will remain eligible for the additional amount of seismic funds, up to the initial funding request, if funds become available within the Seismic Mitigation Program authority amount of $199.5 million. If funding is refused, the Board shall consider funding the next project eligible for funding pursuant to this Section.

For any Application for the seismic mitigation of the Most Vulnerable Category 2 Buildings not apportioned or approved for placement on the Unfunded List (Lack of AB 55 Loans) pursuant to this Section, the application shall be returned to the applicant.

SFP Regulation Section 1859.82 further states:

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 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.

ATTACHMENT 2

West Contra Costa Unified School District
Facilities Planning & Construction
1400 Marina Way South
Richmond, CA 94804
510-307-4540

Matthew Duffy
Superintendent of Schools

Lisa LeBlanc
Associate Superintendent Operations

Keith Holtslander
Director of Facilities & Construction

Luis Freese
Chief Engineering Officer

July 27, 2016

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

Subject: West Contra Costa Unified School District
Crespi Junior High School SMP Project 58/61796-00-003
Conceptual Approval Extension Request

Dear Ms. Ly:

On February 24, 2015, the West Contra Costa Unified School District received a conceptual approval for the Crespi Junior High School Seismic Mitigation Program Rehabilitation Project 58/61796-00-003.

The District has been in pursuit of multiple seismic mitigation applications over the last two years that have received Seismic Mitigation Program DSA Phase 1 and Phase 2 approvals. The District has had much success, and has been able to move four projects forward with full funding requests, including one conversion from a conceptual approval. Due to the number of construction projects in process and the costs associated with seismic mitigation, the Crespi gymnasium project was delayed while the District managed its other projects.

The District is now ready to move this project forward and is in the process of securing a project architect. The District is expecting to have the architect on board, and construction plans completed, submitted, and approved by the DSA by the Fall of 2017. The District will then target construction activities beginning immediately thereafter.

The District is respectfully requesting an 18-month extension to the Crespi SMP Rehabilitation Project conceptual approval in order to accomplish this timeframe.

Please do not hesitate to contact me should you have questions or require additional information. Thank you.

Sincerely,

Luis Freese
Chief Engineering Officer

Cc: School Facility Consultants

ATTACHMENT 2

SCHOOL FACILITY CONSULTANTS

1303 J Street, Suite 500
Sacramento, CA 95814
Phone: (916) 441-5063
Facsimile: (916) 441-2848
www.s-f-c.org

August 1, 2016

TO: Candace Ly
Office of Public School Construction

FROM: Marnie Rosenstein
School Facility Consultants

SUBJECT: **West Contra Costa Unified School District**
Crespi Junior High School
Seismic Mitigation Project #58/61796-00-003
Conceptual Approval Extension Request

CC: Luis Freese, West Contra Costa Unified School District
Keith Holtslander, West Contra Costa Unified School District
Matthew A. Pettler, School Facility Consultants
Master File

Attached please find the West Contra Costa Unified School District's request for a conceptual approval extension for the Crespi Junior High School Seismic Mitigation Project (58/61796-00-003). Specifically, the following document has been included for your review:

Form	Document Name	Comments
No Form	Conceptual Approval Extension Request Letter	Original signature.

Please do not hesitate to call should you have any questions or require any additional information.

ATTACHMENT 3

REPORT OF THE EXECUTIVE OFFICER

State Allocation Board Meeting, February 24, 2015

SCHOOL DISTRICT DATA	
School District: .....WEST CONTRA COSTA UNIFIED	County:.....CONTRA COSTA
Application Number:.....58/61796-00-003	School Name:.....CRESPI JUNIOR HIGH
Total District Enrollment:.....30,720	Project Grade Level:.....7-8
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 (SMP) rehabilitation project.
Estimated Total Project Cost	$ 1,887,742
Estimated Cost to the State	$ 943,871

DESCRIPTION

Description of Health and Safety Threat	The Gymnasium Building at Crespi Junior High School in El Sobrante is of the Most Vulnerable Category 2 Building Type. The two-story concrete structure was originally constructed in 1965. In January of 2012, Thornton Tomasetti, Inc. prepared a structural evaluation for this building which identified critical deficiencies in the buildings' wall, floor, and roof systems. The Division of the State Architect (DSA) has concurred with the presence of the threat of a local or global collapse of the facilities in the event of seismic activity, as outlined in the Eligibility Evaluation Report filed by the District's structural engineer.
Scope of Project	The scope of the project includes structural repairs to the wall, floor and roof systems.
Status of School Site	The Gymnasium Building is currently occupied.

QUALIFYING CRITERIA

Government/State Level Concurrence	DSA has approved the Gymnasium Building for SMP eligibility, and has evaluated and approved the planned seismic mitigation work.
Site Visit Completed by Staff	Staff has accepted reports by the industry specialist and DSA approval in lieu of a site visit.
Staff Supports the District's Request	Yes

AUTHORITY

See Attachment.

(Continued on Page Two)

RECOMMENDATIONS

1. Approve the District's request for conceptual approval to rehabilitate the Gymnasium Building on the Crespi Junior High School site, pursuant to the SFP Regulation Section 1859.82(a).

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 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 3

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 1859.82 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 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.

ATTACHMENT 3

ATTACHMENT

AUTHORITY (CONT.)

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.

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, 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.

SFP Regulation Section 1859.82 further states:

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 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.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

SCHOOL FACILITY PROGRAM
SUBSTANTIAL PROGRESS RESCISSION AND REDUCTION TO COSTS INCURRED

PURPOSE OF REPORT

To present School Facility Program (SFP) project apportionments to be rescinded or reduced to eligible costs incurred.

DESCRIPTION

The SFP projects listed on the Attachment are financial hardship and non-financial hardship County Office of Education (COE) and Districts that received a separate design, site and adjusted grant fund release. The COE's and Districts have either requested to have their project reduced to costs incurred or rescinded or have not meet the substantial progress requirement or have indicated that they will be unable to move forward with the SFP projects listed on the Attachment. The COE's and Districts have requested that their apportionments be reduced to costs incurred or rescinded to recognize eligible costs for the separate design site, or adjusted grant phase.

AUTHORITY

Pursuant to Education Code Section 17076.10(b), sufficient evidence of substantial progress for the design, site and adjusted grant apportionments shall be due 18 months from the date any funds were released to the district. The SFP Regulation Section 1859.105 requires that when an apportionment is reduced to project costs incurred or rescinded, all State funds not used to finance eligible expenditures are to be returned to the State Allocation Board (SAB). The SFP Regulations also stipulate that interest earned on State funds, which is not used to finance eligible expenditures, is due to the SAB.

RECOMMENDATIONS

1. Find that the COE's and Districts are unable to meet the substantial progress requirements or indicated that they will be unable to move forward with the projects listed on the Attachment.
2. Reduce the funded apportionments to costs incurred or rescind the funded apportionments for the projects listed on the Attachment.
3. Direct Staff to adjust the Districts and COE's baseline eligibility, according to the increases (identified in the "Pupils Returned to the District's Baseline" column) on the Attachment, once all funds due to the State have been received.

ATTACHMENT

SCHOOL FACILITY PROGRAM

SUBSTANTIAL PROGRESS RESCISSION/REDUCTION TO COSTS INCURRED

State Allocation Board Meeting, October 17, 2016

		Pupil Grant Adjustments			Grant Adjustments			
		Original Pupils Assigned to Apportionment		Pupils Returned to the District's Baseline				
	District/ County/ Application Number	Type of Pupils	Number of Pupils	Number of Pupils	Original Apportionment	Interest	Amount of Eligible Expenditures	Reduction in Apportionment
Design Grant	Alisal Union Monterey 50/65961-00-008	K-6	450	445	$1,591,020	$45,668	$84,561	$1,552,127
Design Grant	Solano County Office of Education[A] Solano 50/10488-00-033	Severe	27	24	$276,491	$3,561	$158,503	$121,549
Design Grant	Placer County Office of Education[B] Placer 50/10314-00-010	Severe	18	17	$111,775	$8,120	$78,374	$119,279
Design Grant	San Bernardino County Office of Education San Bernardino 50/10363-03-084	Severe	18	18	$178,805	$4,743	$0	$183,548
Design Grant	Scotia Union Elementary Humboldt 57/63024-00-001	K-6 7-8	73 18	71 18	$110,668	$1,778	$19,976	$92,470
Environmental Site Grant	Santa Ana Unified[C, D] Orange 50/66670-00-009	N/A	N/A	N/A	$3,003,228	$38,033	$2,878,501	$162,760
Adjusted Grant	Santa Ana Unified[E] Orange 50/66670-00-009	K-6 Non-Severe	1013 26	1013 26	$10,398,382	$0	$0	$10,398,382
							TOTAL	$12,630,115

A The original apportionment for this project was $276,491. The County Office of Education returned $121,549 of the State apportionment; therefore, the balance due to the State is 0.

B The original apportionment for this project was $111,775. Financial Harship Savings was applied to this project in the amount of $77,758 from project 50/10314-00-007.

C Pupil grants are not assigend on Site Grants.

D The original apportionment for this project was $3,003,228. This is a Non-Financial Harship project with overspent. Therefore, the balance due to the State is $0.

E The District did not meet time limit on fund release (TLOFR); therefore, the adjusted grant of $10,398,382 will be rescinded.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

FACILITY HARDSHIP PROGRAM PROPOSED REGULATIONS FOR FUNDING HISTORICAL BUILDINGS

PURPOSE

To request State Allocation Board (Board) approval of a technical change to the regulatory amendments for funding historical school buildings under the Facility Hardship Program approved by the Board on August 17, 2016.

DESCRIPTION

At the August 17, 2016 meeting, the Board approved regulatory amendments for funding historical school buildings under the Facility Hardship Program. This item presents technical changes to clarify the previously approved amendments for closer alignment with Education Code (EC) Section 17075.10.

AUTHORITY

EC Section 17070.35 states in part:

(a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following:

(1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter. However, the board shall have no authority to set the level of the fees of any architect, structural engineer, or other design professional on any project. The initial regulations adopted pursuant to this chapter shall be adopted as emergency regulations, and the circumstances related to the initial adoption are hereby deemed to constitute an emergency for this purpose. The initial regulations adopted pursuant to this chapter shall be adopted by November 4, 1998. If the initial regulations are not adopted by that date, the board shall report to the Legislature by that date, explaining the reasons for the delay.

STAFF ANALYSIS/STATEMENTS

Upon review of the previously approved amendments to the School Facility Program (SFP) Regulations, Staff determined that additional clarification is necessary regarding the 50 percent threshold for determining qualification for replacement funding. The proposed change clarifies SFP Regulation Section 1859.82(a)(1)(A)1.b.2 and .3 to state that projects with a cost benefit analysis calculation *greater than 50 percent* of the Current Replacement Cost would qualify for replacement funding. These subsections previously stated that if the total cost to remain was *50 percent or more* of the Current Replacement Cost the district could qualify for replacement funding.

(Continued on Page Two)

STAFF ANALYSIS/STATEMENTS (cont.)

The previously approved regulations and the proposed technical change are presented below for comparison.

Previously Approved Regulations

2. If the total cost to remain in the classroom or related facility is **50 percent or more** of the Current Replacement Cost and the Application is for replacement facilities, the district may qualify for a grant for a new or replacement school or replacement facilities as a new construction project.
3. If the total cost to remain in the classroom or related facility is **50 percent or more** of the Current Replacement Cost and the Application is for the repair, not the replacement, of a Qualified Historical School Building, the district may qualify for funding as a new construction project.

Proposed Technical Change

2. If the total cost to remain in the classroom or related facility is **greater than 50 percent** of the Current Replacement Cost and the Application is for replacement facilities, the district may qualify for a grant for a new or replacement school or replacement facilities as a new construction project.
3. If the total cost to remain in the classroom or related facility is **greater than 50 percent** of the Current Replacement Cost and the Application is for the repair, not the replacement, of a Qualified Historical School Building, the district may qualify for funding as a new construction project.

This amendment will align the program regulations with Education Code Section 17075.10.

The proposed changes are included as Attachment 1. For reference, the August 17, 2016 agenda item is included as Attachment 2.

RECOMMENDATIONS

1. Adopt the proposed regulations as shown in Attachment 1.

2. Authorize the Executive Officer to file the proposed regulations with the Office of Administrative Law.

ATTACHMENT 1

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:

…

"Qualified Historical School Building" shall mean any school building that meets the "Qualified Historical Building or Property" definition in California Historical Building Code, California Code of Regulations, Title 24, Part 8.

…

Section 1859.82. Facility Hardship.

A district is eligible for facility hardship funding to repair, 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. A facility hardship is available for:

(a) Repair of facilities, ~~N~~new classrooms and/or subsidiary facilities (corridors, toilets, kitchens and other non-classroom space), or replacement facilities if either (1) or (2) are met:

(1) 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 the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk. The total available funding for seismic mitigation related and ancillary costs for the Most Vulnerable Category 2 Buildings is $199.5 million.

(A) ~~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 district shall prepare and submit to the OPSC an Application which includes a cost/benefit analysis which will be used to compare the total costs to remain in the classroom or related facility and mitigate the problem ~~is at least 50 percent of~~ to 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.

1. If the total cost to remain in the classroom or related facility is ~~less than~~ 50 percent or less than ~~of~~ the Current Replacement Cost, the district may qualify for either grant below, as applicable:

~~1.~~ a. Modernization Excessive Cost Hardship Grant for Rehabilitation Costs pursuant to Section 1859.83(e), or

~~2.~~ b. A grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the ~~b~~Board for seismic ~~rehabilitation~~ repair.

2. If the total cost to remain in the classroom or related facility is greater than 50 percent of the Current Replacement Cost and the Application is for replacement facilities, the district may qualify for a grant for a new or replacement school or replacement facilities as a new construction project.

3. If the total cost to remain in the classroom or related facility is greater than 50 percent of the Current Replacement Cost and the Application is for the repair, not the replacement, of a Qualified Historical School Building, the district may qualify for funding as a new construction project. The district must demonstrate that the facility meets the definition of a Qualified Historical School Building. Qualified Historical School Building status must be determined by an appropriate local, state, or federal governmental agency or by a person(s) who meets

the Professional Qualification Standards set forth by the Secretary of the Interior's Standard and Guidelines for Archeology and Historical Preservation.

(B) If the request is for ~~replacement~~ facilities that include 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 Current Construction Cost Publication by the Sierra West Group 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.

(C) 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, 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.

(D) Notwithstanding Sections 1859.93 and 1859.93.1, all applications for the seismic mitigation of the Most Vulnerable Category 2 Buildings shall be funded in the order of receipt of an Approved Application for funding.

(E) If an Application for the seismic mitigation of the Most Vulnerable Category 2 Buildings cannot be fully apportioned or approved for placement on the Unfunded List (Lack of AB 55 Loans) because insufficient funding is available, the applicant may accept the remaining funding amount or refuse funding entirely. If partial funding is accepted, the applicant will remain eligible for the additional amount of seismic funds, up to the initial funding request, if funds become available within the Seismic Mitigation Program authority amount of $199.5 million. If funding is refused, the Board shall consider funding the next project eligible for funding pursuant to this Section.

For any Application for the seismic mitigation of the Most Vulnerable Category 2 Buildings not apportioned or approved for placement on the Unfunded List (Lack of AB 55 Loans) pursuant to this Section, the application shall be returned to the applicant.

(2) The classroom or related facility was lost or destroyed as a result of a disaster such as fire, flood or earthquake and the district has demonstrated satisfactorily to the Board that the classroom or related facility was uninsurable or the cost for insurance was prohibitive.

If the district qualifies for a new or replacement school pursuant to either (a)(1)(A)2.~~(1)~~ or (a)(1)(A)3.~~(2)~~ above, the district is eligible for a New Construction Grant as a new construction project for the lesser of the pupils housed in the

replaced facility based on loading standards pursuant to Education Code Section 17071.25(a)(2) or the latest CBEDS enrollment at the site.

If the district qualifies for repair of a Qualified Historical School Building pursuant to (a)(1)(A)2. or replacement facilities on the same site pursuant to either (a)(1)(A)2.~~(1)~~ or (a)(1)(A)3.~~(2)~~ above, the district is eligible for funding as a new construction project. Replacement facilities and square footage amounts used to determine funding for a Qualified Historical School Building shall be allowed in accordance with the square footage amounts provided in the chart in Section (b) below. If the facility eligible for replacement is not shown in the chart in Section (b) below, the replacement facility shall be limited to the square footage replaced. If the Qualified Historical School Building is a facility type not shown in the chart in Section (b) below, the square footage amounts used to determine funding shall be limited to the existing square footage of the Qualified Historical School Building. The grant amount provided shall be $173.30 per square foot for Toilet Facilities and $96.30 per square foot for all other facilities. Additional funding may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship Grant(s) pursuant to Section 1859.83(a), (b) or (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73, project assistance pursuant to Section 1859.73.1, and 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. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. For any project funded in whole or in part from any State bond funds 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 1859.71.4(a). For any project for which the construction contract is awarded on January 1, 2012 through June 19, 2014, the grant may be adjusted in the manner prescribed in Section 1859.71.4(c) and subject to the limitations established in Section 1859.71.4(d).

Any grants provided pursuant to either (a)(1) or (a)(2) above will be reduced for any space deemed available by the Board in the district, the HSAA or Super HSAA that could be used to house some or all of the displaced pupils, fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

If the district qualifies for rehabilitation of facilities on the same site pursuant to subsection (a)(1)(A)~~2~~(1)b., the district is eligible for a ~~s~~Seismic ~~r~~Rehabilitation ~~g~~Grant. The grant provided is pursuant to subsection (a)(1)(A)~~2~~(1)b. and Education Code Section 17075.10(b)(2). Additional funding may be provided for a high performance incentive grant pursuant to Section 1859.77.4. For any project for which the construction contract is awarded on January 1, 2012 through June 19, 2014, the seismic rehabilitation grant may be adjusted in the manner prescribed in Section 1859.71.4(c) and subject to the limitations established in Section 1859.71.4(d).

(b) A multi-purpose room, toilet, gymnasium, school administration or library/media center, facility that meets all the following:
(1) The facility was lost or destroyed as a result of a disaster, including but not limited to fire, flood or earthquake.
(2) The facility is no longer useable for school purposes as recommended by the California Department of Education and approved by the Board.
(3) The district has demonstrated satisfactorily to the Board that the facility was uninsurable or the cost of insurance was prohibitive.

If the district qualifies, the district is eligible for funding as a new construction project. The funding amount provided shall be $96.30 per square foot for library/media center, school administration, gymnasium and multi-purpose facilities, and/or $173.30 per square foot for Toilet Facilities. A New Construction Additional Grant may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship

Grant(s) pursuant to Section 1859.83(a) and (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73, project assistance pursuant to Section 1859.73.1, and 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. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. For any project funded in whole or in part from any State bond funds 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 1859.71.4(a). For any project for which the construction contract is awarded on January 1, 2012 through June 19, 2014, the grant may be adjusted in the manner prescribed in Section 1859.71.4(c) and subject to the limitations established in Section 1859.71.4(d).

Any grants provided pursuant to (b) above, shall be reduced by fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

The square footage provided, after accounting for all useable facilities on the site, shall not exceed the following:

Facility	*Elementary School Pupils*	*Middle School Pupils*	*High School Pupils*
Multi-Purpose (includes food service)	5.3 sq. ft. per pupil minimum 4,000 sq. ft.	5.3 sq. ft. per pupil minimum 5,000 sq. ft.	6.3 sq. ft. per pupil minimum 8,200 sq. ft.
Toilet	3 sq. ft. per pupil minimum 300 sq. ft.	4 sq. ft. per pupil minimum 300 sq. ft.	5 sq. ft. per pupil minimum 300 sq. ft.
Gymnasium (includes shower/locker)	N/A	12.9 sq. ft. per pupil minimum 6,828 sq. ft. maximum 16,000 sq. ft.	15.3 sq. ft. per pupil minimum 8,380 sq. ft. maximum 18,000 sq. ft.
School Administration	3 sq. ft. per pupil minimum 600 sq. ft.	3 sq. ft. per pupil minimum 600 sq. ft.	4 sq. ft. per pupil minimum 800 sq. ft.
Library/Media Center	2.3 sq. ft. per pupil plus 600 sq. ft.	3.3 sq. ft. per pupil plus 600 sq. ft.	4.3 sq. ft. per pupil plus 600 sq. ft.

Any facilities eligible for facility hardship not shown in the above chart or for Alternative Education facilities not shown in the table in Section 1859.77.3(a)(5) shall be eligible for replacement square footage equal to the facilities replaced. For an Alternative Education school eligible for a facility hardship, utilize the square footage provided in Section 1859.77.3(a)(5), with the exception of toilet and administration where the chart above shall be utilized.

<u>The modernization baseline eligibility provided in Section 1859.60 will be adjusted as a result of funding provided as a new construction project pursuant to (a) or (b) above.</u>

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 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.

Note: Authority cited: Sections 17070.35, 17075.10, and 17075.15, Education Code.

Reference: Sections 17074.56, 17075.10, 17075.15, 17250.30 and 101012(a)(1), Education Code, and Section 1771.3 in effect on January 1, 2012 through June 19, 2014, Labor Code.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, August 17, 2016

FACILITY HARDSHIP PROGRAM PROPOSED REGULATIONS FOR FUNDING HISTORICAL BUILDINGS

PURPOSE

To request State Allocation Board (Board) approval of proposed regulatory amendments for funding historical school buildings under the Facility Hardship Program.

DESCRIPTION

At the January 2016 meeting, the Board directed Staff to explore regulatory amendments that would allow for administrative processing of replacement funding requests for rehabilitation of historical buildings when the cost to rehabilitate the facility exceeds 50 percent of the replacement costs as calculated in School Facility Program (SFP) Regulations. This item includes proposed regulatory amendments that would allow Staff to administratively process these types of requests for funding.

AUTHORITY

See Attachment A.

BACKGROUND

The Facility Hardship Program regulations provide funding for districts to replace or rehabilitate existing school facilities as a result of health and safety threats. Replacement funding is provided under SFP Regulation Section 1859.82. Rehabilitation funding is provided as an Excessive Cost Hardship Grant under SFP Regulation Section 1859.83(e), with the exception of Seismic Mitigation Program (SMP) rehabilitation projects which are provided for under section 1859.82. The type of funding provided is partially determined by the cost benefit analysis that is established in SFP Regulation Section 1859.82(a)(1)(A).

Currently, SFP Regulations do not provide a mechanism to allow funding for a project that qualifies for replacement funding when rehabilitation work is being performed. However, several districts have encountered challenges with participating in the Facility Hardship Program when buildings have historical significance. At its January 27, 2016 meeting, the Board approved replacement funding for an SMP project for a building that was being rehabilitated.

The district's reason for electing to rehabilitate the building instead of replacing it was due to its historical significance. As it was the third appeal of a similar nature, the Board directed Staff to investigate options for how to facilitate administrative approval of applications for rehabilitation of historical buildings when the cost of the required rehabilitation work in the project exceeds 50 percent of the Current Replacement Cost.

On July 14, 2016 Staff met with stakeholders and discussed potential criteria for a definition of a historical building for inclusion in future amendments to the SFP Regulations for Facility Hardship projects and the SMP. The proposed regulatory amendments are a result of that collaboration.

(Continued on Page Two)

STAFF ANALYSIS/STATEMENTS

Staff has prepared amendments to SFP Regulations for the Board's consideration as directed at the January 2016 meeting. The proposed amendments will allow OPSC to administratively approve applications for funding rehabilitation work on Qualified Historical School Buildings where the cost to rehabilitate the facility exceeds 50 percent of the cost to replace it.

While up to this point all of the applications for rehabilitation of historically significant buildings have been submitted under the SMP component of the Facility Hardship regulations, the SMP is only one type of Facility Hardship application. Therefore, the proposed regulation amendments would apply to the Facility Hardship program as a whole.

The proposed amendments would provide funding as a new construction project for rehabilitation work on a qualifying historical school building/facility under specific circumstances, which are discussed below.

Verification of Historical Significance
Districts submitting applications for Qualified Historical School Buildings, whose request is to receive replacement funding for rehabilitation work, will be required to submit all required documentation for either a Facility Hardship or an SMP application, as applicable. Additionally, districts will be required to demonstrate that their building meets the proposed definition for a "Qualified Historic School Building" to be eligible for replacement funding. The type of documentation that will be accepted for this verification includes the following:

- Documentation demonstrating that the building(s) is on one or more national, state or local historical registers or inventories, such as the National Register of Historic Places, California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest, and city or county registers, inventories or surveys of historical or architecturally significant sites, places or landmarks.

- Documentation from an appropriate local, state or federal governmental jurisdiction stating that the building(s) meets the definition of a "Qualified Historical School Building".

- Documentation from a person(s) who meets the Professional Qualification Standards set forth by the Secretary of the Interior's Standard and Guidelines for Archeology and Historical Preservation demonstrating that the building(s) is eligible for placement on a national, state or local historical registers or inventories, such as the National Register of Historic Places, California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest, and city or county registers, inventories or surveys of historical or architecturally significant sites, places or landmarks.

Summary of Proposed Regulatory Amendments
A summary of the proposed amendments is provided below. In addition, Staff proposes three unrelated technical corrections to the regulations and *Application for Funding* (Form SAB 50-04) and the *Fund Release Authorization Form* (Form SAB 50-05). The full text of the proposed regulatory amendments is included as Attachment B.

(Continued on Page Three)

STAFF ANALYSIS/STATEMENTS (cont.)

SFP Regulation Section 1859.2 – Definitions

The proposed amendments add a definition for "Qualified School Historical Building" which references the definition of a "Qualified Historic Building or Property" as established in the State Historical Building Code, California Code of Regulations, Title 24, Part 8, to allow clear, direct references for the types of facilities eligible for grants in the proposed amendments in Section 1859.82. California State Historic Building Code defines a Qualified Historic Building as follows:

> QUALIFIED HISTORICAL BUILDING OR PROPERTY. As defined in Health and Safety Code Section 18955 as "Qualified Historical Building or Property." Any building, site, object, place, location, district or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction. This shall include historical buildings or properties on, or determined eligible for, national, state or local historical registers or inventories, such as the National Register of Historic Places, California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest, and city or county registers, inventories or surveys of historical or architecturally significant sites, places or landmarks.

SFP Regulation Section 1859.82 - Facility Hardship

The proposed amendments add language to clarify that districts are eligible for facility hardship funding to repair their facilities in addition to being able to replace or construct new facilities. This amendment clarifies that districts are able to receive funding to repair their school buildings under Section 1859.82 specifically through the SMP. For this reason Sections (a)(1)(A) and (a)(1)(B) have been amended to broaden the language to encompass both repair and replacement projects rather than only referencing replacement projects. Additionally, Sections (a)(1)(A)(2) and (a)(1)(A)(3) are new sections which were created to clarify the type of funding that replacement and Qualified Historical School Building applications are eligible for.

While requirements for a district to submit a cost benefit analysis to the OPSC were preexisting, language within section (a)(1)(A) has been added to clarify the purpose of the cost benefit analysis.

Proposed amendments include a minor change in policy regarding the 50 percent threshold for the cost benefit analysis. The current version of the regulations specifies that projects with a cost benefit analysis of 51 percent or more would qualify for replacement funding while Education Code specifies that SMP projects with 50 percent or more would be eligible for replacement funding. This amendment will align the Facility Hardship and SMP and ensure conformance for SMP with Education Code.

Additionally, the proposed amendments will reorganize subsection (a)(1)(A) by enumerating a previously unnumbered paragraph to (a)(1)(A)1. The purpose of this is to more clearly outline what type of funding is available to the the different types of Facility Hardship and SMP projects based on their Application type and the results of the cost benefit analysis. This section already included the types of funding available for repair projects but relocates this language from the previously unnumbered paragraph to a new paragraph that is enumerated. This results in the language that outlines that repair projects with a cost benefit analysis under 50 percent may be eligible for an Excessive Cost Hardship Grant pursuant to 1859.83(e) being moved from Section (a)(1)(A) to (a)(1)(A)(1)a. and the reference to the Seismic Rehabilitation Grant to subsection (a)(1)(A)(1)b.

Sections (a)(1)(A)(2) and (a)(1)(A)(3) have been added to clarify what type of funding is available to projects whose cost benefit analysis determines that the cost to repair the school building is 50 percent or more of the Current Replacement Cost.

(Continued on Page Four)

STAFF ANALYSIS/STATEMENTS (cont.)

The next proposed amendment adds language under section (a)(2) clarifying that repair projects for Qualified Historical School Buildings could be eligible for replacement funding including any applicable additional grants, and that the funding calculation would be the same as other types of Facility Hardship or SMP projects for replacement facilities.

The proposed amendments also add clarification that the modernization baseline eligibility will be adjusted as a result of replacement funding provided for a school building.

Non-substantive Technical Corrections
Staff proposes the following non-substantive, technical corrections to the *Application for Funding* (Form SAB 50-04) and *Fund Release Authorization* (Form SAB 50-05):

The term "Board" has been capitalized in section 1859.82(a)(1)(A)(1) to clarify that this is a preexisting defined term specifically referring to the State Allocation Board.

The term "Seismic Rehabilitation Grant" has been capitalized in section 1859.82(a)(2) to clarify that this is a preexisting defined term.

A reference to EC section 17075.10 has been added to the Authority cited at the end of subsection 1859.82.

Application for Funding (Form SAB 50-04)
The proposed amendment deletes a certification that is no longer valid.

Fund Release Authorization (Form SAB 50-05)
The proposed amendments correct the references to specific sections of the Form.

RECOMMENDATIONS

1. Adopt the proposed regulations as shown in Attachments B.

2. Authorize the Executive Officer to file the proposed regulations with the Office of Administrative Law.

BOARD ACTION

In considering this Item, the Board modified and approved the staff's recommendations to include Attachments C and D as part of the proposed regulations.

ATTACHMENT A

Education Code Section 17070.35.

(a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following:

(1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter. However, the board shall have no authority to set the level of the fees of any architect, structural engineer, or other design professional on any project. The initial regulations adopted pursuant to this chapter shall be adopted as emergency regulations, and the circumstances related to the initial adoption are hereby deemed to constitute an emergency for this purpose. The initial regulations adopted pursuant to this chapter shall be adopted by November 4, 1998. If the initial regulations are not adopted by that date, the board shall report to the Legislature by that date, explaining the reasons for the delay.

Education Code Section 17075.10.

(a) 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.

(b) A school district applying for hardship state funding under this article shall comply with either paragraph (1) or (2).

(1) Demonstrate both of the following:

(A) That due to extreme financial, disaster-related, or other hardship the school district has unmet need for pupil housing.

(B) That the school district is not financially capable of providing the matching funds otherwise required for state participation, that the district has made all reasonable efforts to impose all levels of local debt capacity and development fees, and that the school district is, therefore, unable to participate in the program pursuant to this chapter except as set forth in this article.

(2) Demonstrate that due to unusual circumstances that are beyond the control of the district, excessive costs need to be incurred in the construction of school facilities. 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.

(c) The board shall review the increased costs that may be uniquely associated with urban construction and shall adjust the per-pupil grant for new construction or modernization hardship applications as necessary to accommodate those costs. The board shall adopt regulations setting forth the standards, methodology, and a schedule of allowable adjustments, for the urban adjustment factor established pursuant to this subdivision.

Education Code Section 17075.15 (b)

The board shall adopt regulations for determining the amount of funding that may be provided to a district, and the eligibility and prioritization of funding, under this article.

ATTACHMENT B

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:

…

"Qualified Historical School Building" shall mean any school building that meets the "Qualified Historical Building or Property" definition in California Historical Building Code, California Code of Regulations, Title 24, Part 8.

…

Section 1859.82. Facility Hardship.

A district is eligible for facility hardship funding to repair, 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. A facility hardship is available for:

(a) Repair of facilities, ~~N~~new classrooms and/or subsidiary facilities (corridors, toilets, kitchens and other non-classroom space), or replacement facilities if either (1) or (2) are met:

(1) 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 the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk. The total available funding for seismic mitigation related and ancillary costs for the Most Vulnerable Category 2 Buildings is $199.5 million.

(A) ~~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 district shall prepare and submit to the OPSC an Application which includes a cost/benefit analysis which will be used to compare the total costs to remain in the classroom or related facility and mitigate the problem ~~is at least 50 percent of~~ to 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.

1. If the total cost to remain in the classroom or related facility is ~~less than~~ 50 percent or less than ~~of~~ the Current Replacement Cost, the district may qualify for either grant below, as applicable:
~~1.~~ a. Modernization Excessive Cost Hardship Grant for Rehabilitation Costs pursuant to Section 1859.83(e), or
~~2.~~ b. A grant not to exceed 50 percent of the cost estimate that has been reviewed and approved by the OPSC and approved by the ~~b~~Board for seismic ~~rehabilitation~~ repair.
2. If the total cost to remain in the classroom or related facility is 50 percent or more than the Current Replacement Cost and the Application is for replacement facilities, the district may qualify for a grant for a new or replacement school or replacement facilities as a new construction project.
3. If the total cost to remain in the classroom or related facility is 50 percent or more than the Current Replacement Cost and the Application is for the repair, not the replacement, of a Qualified Historical School Building, the district may qualify for funding as a new construction project. The district must demonstrate that the facility meets the definition of a Qualified Historical School Building. Qualified Historical School Building status

must be determined by an appropriate local, state, or federal governmental agency or by a person(s) who meets the Professional Qualification Standards set forth by the Secretary of the Interior's Standard and Guidelines for Archeology and Historical Preservation.

(B) If the request is for ~~replacement~~ facilities that include 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 Current Construction Cost Publication by the Sierra West Group 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.

(C) 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, 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.

(D) Notwithstanding Sections 1859.93 and 1859.93.1, all applications for the seismic mitigation of the Most Vulnerable Category 2 Buildings shall be funded in the order of receipt of an Approved Application for funding.

(E) If an Application for the seismic mitigation of the Most Vulnerable Category 2 Buildings cannot be fully apportioned or approved for placement on the Unfunded List (Lack of AB 55 Loans) because insufficient funding is available, the applicant may accept the remaining funding amount or refuse funding entirely. If partial funding is accepted, the applicant will remain eligible for the additional amount of seismic funds, up to the initial funding request, if funds become available within the Seismic Mitigation Program authority amount of $199.5 million. If funding is refused, the Board shall consider funding the next project eligible for funding pursuant to this Section.

For any Application for the seismic mitigation of the Most Vulnerable Category 2 Buildings not apportioned or approved for placement on the Unfunded List (Lack of AB 55 Loans) pursuant to this Section, the application shall be returned to the applicant.

(2) The classroom or related facility was lost or destroyed as a result of a disaster such as fire, flood or earthquake and the district has demonstrated satisfactorily to the Board that the classroom or related facility was uninsurable or the cost for insurance was prohibitive.

If the district qualifies for a new or replacement school pursuant to either (a)(1)(A)2.~~(1)~~ or (a)(1)(A)3.~~(2)~~ above, the district is eligible for a New Construction Grant as a new construction project for the lesser of the pupils housed in the

replaced facility based on loading standards pursuant to Education Code Section 17071.25(a)(2) or the latest CBEDS enrollment at the site.

If the district qualifies for repair of a Qualified Historical School Building pursuant to (a)(1)(A)2. or replacement facilities on the same site pursuant to either (a)(1)(A)2.~~(1)~~ or (a)(1)(A)3.~~(2)~~ above, the district is eligible for funding as a new construction project. Replacement facilities and square footage amounts used to determine funding for a Qualified Historical School Building shall be allowed in accordance with the square footage amounts provided in the chart in Section (b) below. If the facility eligible for replacement is not shown in the chart in Section (b) below, the replacement facility shall be limited to the square footage replaced. If the Qualified Historical School Building is a facility type not shown in the chart in Section (b) below, the square footage amounts used to determine funding shall be limited to the existing square footage of the Qualified Historical School Building. The grant amount provided shall be $173.30 per square foot for Toilet Facilities and $96.30 per square foot for all other facilities. Additional funding may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship Grant(s) pursuant to Section 1859.83(a), (b) or (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73, project assistance pursuant to Section 1859.73.1, and 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. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. For any project funded in whole or in part from any State bond funds 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 1859.71.4(a). For any project for which the construction contract is awarded on January 1, 2012 through June 19, 2014, the grant may be adjusted in the manner prescribed in Section 1859.71.4(c) and subject to the limitations established in Section 1859.71.4(d).

Any grants provided pursuant to either (a)(1) or (a)(2) above will be reduced for any space deemed available by the Board in the district, the HSAA or Super HSAA that could be used to house some or all of the displaced pupils, fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

If the district qualifies for rehabilitation of facilities on the same site pursuant to subsection (a)(1)(A)~~2~~(1)b., the district is eligible for a ~~s~~Seismic ~~r~~Rehabilitation ~~g~~Grant. The grant provided is pursuant to subsection (a)(1)(A)~~2~~(1)b. and Education Code Section 17075.10(b)(2). Additional funding may be provided for a high performance incentive grant pursuant to Section 1859.77.4. For any project for which the construction contract is awarded on January 1, 2012 through June 19, 2014, the seismic rehabilitation grant may be adjusted in the manner prescribed in Section 1859.71.4(c) and subject to the limitations established in Section 1859.71.4(d).

(b) A multi-purpose room, toilet, gymnasium, school administration or library/media center, facility that meets all the following:
(1) The facility was lost or destroyed as a result of a disaster, including but not limited to fire, flood or earthquake.
(2) The facility is no longer useable for school purposes as recommended by the California Department of Education and approved by the Board.
(3) The district has demonstrated satisfactorily to the Board that the facility was uninsurable or the cost of insurance was prohibitive.

If the district qualifies, the district is eligible for funding as a new construction project. The funding amount provided shall be $96.30 per square foot for library/media center, school administration, gymnasium and multi-purpose facilities, and/or $173.30 per square foot for Toilet Facilities. A New Construction Additional Grant may be provided for applicable site development costs pursuant to Section 1859.76, New Construction Excessive Cost Hardship

Grant(s) pursuant to Section 1859.83(a) and (d), therapy room pursuant to Section 1859.72, multilevel construction pursuant to Section 1859.73, project assistance pursuant to Section 1859.73.1, and 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. The amounts shown will be adjusted in the manner prescribed in Section 1859.71. For any project funded in whole or in part from any State bond funds 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 1859.71.4(a). For any project for which the construction contract is awarded on January 1, 2012 through June 19, 2014, the grant may be adjusted in the manner prescribed in Section 1859.71.4(c) and subject to the limitations established in Section 1859.71.4(d).

Any grants provided pursuant to (b) above, shall be reduced by fifty percent of any insurance proceeds collectable by the district for the displaced facilities and fifty percent of the net proceeds available from the disposition of any displaced facilities.

The square footage provided, after accounting for all useable facilities on the site, shall not exceed the following:

Facility	*Elementary School Pupils*	*Middle School Pupils*	*High School Pupils*
Multi-Purpose (includes food service)	5.3 sq. ft. per pupil minimum 4,000 sq. ft.	5.3 sq. ft. per pupil minimum 5,000 sq. ft.	6.3 sq. ft. per pupil minimum 8,200 sq. ft.
Toilet	3 sq. ft. per pupil minimum 300 sq. ft.	4 sq. ft. per pupil minimum 300 sq. ft.	5 sq. ft. per pupil minimum 300 sq. ft.
Gymnasium (includes shower/locker)	N/A	12.9 sq. ft. per pupil minimum 6,828 sq. ft. maximum 16,000 sq. ft.	15.3 sq. ft. per pupil minimum 8,380 sq. ft. maximum 18,000 sq. ft.
School Administration	3 sq. ft. per pupil minimum 600 sq. ft.	3 sq. ft. per pupil minimum 600 sq. ft.	4 sq. ft. per pupil minimum 800 sq. ft.
Library/Media Center	2.3 sq. ft. per pupil plus 600 sq. ft.	3.3 sq. ft. per pupil plus 600 sq. ft.	4.3 sq. ft. per pupil plus 600 sq. ft.

Any facilities eligible for facility hardship not shown in the above chart or for Alternative Education facilities not shown in the table in Section 1859.77.3(a)(5) shall be eligible for replacement square footage equal to the facilities replaced. For an Alternative Education school eligible for a facility hardship, utilize the square footage provided in Section 1859.77.3(a)(5), with the exception of toilet and administration where the chart above shall be utilized.

<u>The modernization baseline eligibility provided in Section 1859.60 will be adjusted as a result of funding provided as a new construction project pursuant to (a) or (b) above.</u>

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 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.

Note: Authority cited: Sections 17070.35, 17075.10, and 17075.15, Education Code.

Reference: Sections 17074.56, 17075.10, 17075.15, 17250.30 and 101012(a)(1), Education Code, and Section 1771.3 in effect on January 1, 2012 through June 19, 2014, Labor Code.

GENERAL INFORMATION

If this application is submitted when there is Insufficient Bond Authority, as defined in Regulation Section 1859.2, the School District must adopt and submit a school board resolution, pursuant to Regulation Section 1859.95.1. For information regarding remaining bond authority, contact the Office of Public School Construction (OPSC) prior to submittal of this application.

Once the Board has determined or adjusted the district's eligibility for either new construction or modernization funding, the district may file an application for funding by use of this form. The Board will only provide new construction funding if this form is submitted prior to the date of occupancy of any classrooms included in the construction contract. If the district has a pending reorganization election that will result in the loss of eligibility for the proposed project, the district may not file an application for funding until the Board has adjusted the district's new construction baseline eligibility as required in Section 1859.51. This may be accomplished by completion of Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03.

For purposes of Education Code Section 17073.25, the California Department of Education (CDE) is permitted to file modernization applications on behalf of the California Schools for the Deaf and Blind.

Requests for funding may be made as follows:

1. A separate apportionment for site acquisition for a new construction project for environmental hardship pursuant to Section 1859.75.1. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
   - Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
   - Contingent site approval letter from the CDE.
   - Preliminary appraisal of property.
   - Approval letter from the Department of Toxic Substances Control.
2. A separate apportionment for site acquisition and/or design costs for a new construction project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. Districts may apply for a separate apportionment for the design and for site acquisition on the same project. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
   - Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
   - Contingent site approval letter from the CDE (site apportionment only).
   - Preliminary appraisal of property (site apportionment only).
3. A separate apportionment for district-owned site acquisition cost pursuant to Section 1859.81.2. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
   - Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
   - Site approval letter from the CDE.
   - Appraisal of district-owned site.
   - Cost benefit analysis as prescribed in Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.
4. A separate apportionment for design cost for a modernization project pursuant to Section 1859.81.1. This apportionment is available only to districts that meet the financial hardship criteria in Section 1859.81. For purposes of this apportionment, the Form SAB 50-03 must accompany this form (if not previously submitted).
5. A New Construction Adjusted Grant pursuant to Section 1859.70 or 1859.180. If the funding request includes site acquisition, the proposed site must either be owned by the district, in escrow, or the district has filed condemnation proceedings and received an order of possession of the site. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
   - Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03 (if not previously submitted).
   - Site/plan approval letter from the CDE.
   - Appraisal of property if requesting site acquisition funds.
   - Plans and specifications (P&S) for the project that were approved by the DSA. Submittal of plans may be on CD-ROM or "Zip Drive" readable in AutoCAD 14. The specifications may be provided on a diskette that is IBM compatible.
   - Cost estimate of proposed site development, if requesting site development funding.
   - If this request is pursuant to Section 1859.77.2 and the district's housing plan is other than those listed in the certification section of this form, a copy of the school board resolution and the approved housing plan.
   - If the site apportionment is requested pursuant to Regulation Section 1859.74.5, a cost benefit analysis as prescribed in Regulation Section 1859.74.6 or a copy of the Board finding that the non-school function on the district-owned site must be relocated.
   - If this request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, a justification of how the project relieves overcrowding, including but not limited to, the elimination of the use of Concept 6 calendars, four track year-round calendars, or bussing in excess of 40 minutes.
   - Written confirmation from the district's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51228(b), and 52336.1.
6. For purposes of the Overcrowding Relief Grant (ORG), districts must submit the Overcrowding Relief Grant District-Wide Eligibility Determination (Form SAB 50-11) prior to the submittal of this funding application. In addition, districts must have had the CDE deem the site eligible for the ORG (pursuant to Section 1859.181) prior to the submittal of this application. For purposes of this apportionment, the following documents must be submitted with this form as well as the documents listed in section 5 above:
   - Overcrowding Relief Grant Eligibility Determination Form approved by the CDE.
   - Copies of the supporting documentation provided to the CDE when determining the density of the site, including the site diagram.

   The district is not required to submit its current CBEDS enrollment data.
7. Modernization Adjusted Grant pursuant to Section 1859.70. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):
   - Form SAB 50-03 (if not previously submitted).
   - P&S for the project that were approved by the DSA.
   - If the request includes funding for accessibility and fire code requirement pursuant to Section 1859.83(f), the DSA approved list of the minimum accessibility work required and a detailed cost estimate for the work in the plans.
   - DSA approval letter for elevator to meet handicapped compliance, if funding is requested.
   - Cost estimate of the proposed site development necessary for the Reconfiguration of an existing high school.
   - Plan approval letter from the CDE.

- Districtwide enrollment data on Form SAB 50-01 when requesting project assistance (if not previously submitted).
- If the request includes funding for 50 year old permanent buildings pursuant to Section 1859.78.6, a site diagram identifying all buildings to be modernized in the project. The diagram must specify those buildings that are at least 50 years old.
- Written confirmation from the district's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51228(b), and 52336.1.

8. Final Charter School Apportionment for Charter School Facilities Rehabilitation pursuant to Section 1859.167.1. For purposes of this apportionment, the following documents must be submitted with this form (as appropriate):

- P&S for the project that were approved by DSA.
- If the request includes funding for accessibility and fire code requirement pursuant to Section 1859.167.3(d), the DSA approved list of the minimum accessibility work required and a detailed cost estimate for the work in the plans.
- DSA approval letter for elevator to meet handicapped compliance, if funding is requested.
- High performance incentive (HPI) scorecard from DSA.
- Plan approval letter from the CDE.
- Construction cost estimate signed by the architect of record or design professional.
- Determination of financial soundness from the California School Finance Authority (CSFA).
- Written confirmation from the applicant's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51228(b), and 52336.1.

Prior to acceptance of an application for funding that includes a financial hardship request:

- If the application is submitted pursuant to Section 1859.81, the district must have its financial hardship status "pre-approved" by the OPSC. To apply for a financial hardship "pre-approval", consult the OPSC Web site at www.dgs.ca.gov/opsc.
- If the application is submitted when there is Insufficient Bond Authority, as defined in Section 1859.2, the district must adopt a school board resolution pursuant to Section 1859.95.1(b).

If the district is requesting New Construction funding after the initial baseline eligibility was approved by the Board and the district's current CBEDS enrollment reporting year is later than the enrollment reporting year used to determine the district's baseline eligibility or adjusted eligibility, the district must complete a new Form SAB 50-01 based on the current year CBEDS enrollment data, and submit it to the OPSC with this form. In addition, if the district's request is fully or partially based on eligibility derived from an Alternative Enrollment Projection, the district must update the Alternative Enrollment Projection to correspond with the CBEDS enrollment data for the current year. A small district with 2,500 or less enrollment as defined in Section 1859.2 will not have its eligibility reduced for a period of three years from the date the district's baseline eligibility was approved by the Board as a result of reduction in projected enrollment.

For a list of the documents that must be submitted in order for the OPSC to deem a funding request for new construction or modernization complete and ready for OPSC processing, consult the SFP handbook and other information located on the OPSC Web site at www.dgs.ca.gov/opsc.

For purposes of completing this form for a Final Charter School Apportionment, a charter school shall be treated as a school district.

SPECIFIC INSTRUCTIONS

The district must assign a Project Tracking Number (PTN) to this project. The same PTN is used by the OPSC, the DSA and the CDE for all project applications submitted to those agencies to track a particular project through the entire state application review process. If the district has already assigned a PTN to this project by prior submittal of the P&S to either the DSA or the CDE for approval, use that PTN for this application submittal. If no PTN has been previously assigned for this project, a PTN may be obtained from the OPSC Web site at www.dgs.ca.gov/opsc "PT Number Generator."

1. Type of Application

Check the appropriate box that indicates the type of School Facility Program (SFP) grant the district is requesting for purposes of new construction, modernization, a separate design and/or site apportionment, site apportionment as an environmental hardship or New Construction (Final Apportionment). If the application is for the modernization of school facilities and includes facilities that are eligible for an additional apportionment pursuant to Section 1859.78.8, include a site diagram with this application that specifies the age of each facility eligible for modernization. The diagram should also indicate the date of its original DSA plan approval and the date the facility received its prior modernization apportionment. If known include the project modernization number on the diagram. If the application is for modernization of a California School for the Deaf or Blind, the CDE shall check the box identified as Modernization of California Schools for the Deaf/Blind. If the request is for a separate design apportionment, the CDE shall check the appropriate box. If the eligibility for this project was established as a result of the need for new or replacement facilities pursuant to Section 1859.82 (a) and (b), seismic replacement or seismic rehabilitation for the Most Vulnerable Category 2 Buildings, or rehabilitation pursuant to Section 1859.83 (e), check the appropriate box(es).

If this request is for an addition to an existing site and advance funding for the evaluation and RA costs, check the appropriate box and refer to Section 1859.74.4.

If this request is for an Overcrowding Relief Grant, check the New Construction (Overcrowding Relief Grant) box.

If this request is to convert a Preliminary Apportionment or a Preliminary Charter School Apportionment to a Final Apportionment, check the New Construction Final Apportionment, New Construction Final Charter School Apportionment or the Rehabilitation Final Charter School Apportionment box, as appropriate.

If the district is requesting a separate site and/or design apportionment, complete boxes 2a, 3, 4, the site acquisition data in box 5 (d and e), and boxes 13, 14, 15, 16, and 24 only.

2. Type of Project

a. Select the type of project that best represents this application request and enter the total number of pupils assigned to the project for each grade group. Include pupils to be housed in a new or replacement school authorized by Section 1859.82 (a). The amount entered cannot exceed the district's baseline eligibility determined on Form SAB 50-03 and will be the basis for the amount of the new construction or modernization grants provided for the project.

If this request is for a Final Apportionment, the pupils assigned to the project must be at least 75 percent, but not more than 100 percent, of the pupils that received the Preliminary Apportionment. Refer to Section 1859.147.

For ORG projects, the amount entered cannot exceed the Overcrowding Relief Pupil Eligibility (pursuant to Section 1859.182 and 1859.183) as reflected in the total number of eligible pupils determined by the Form SAB 50-11 or the CDE Overcrowding Relief Grant Eligibility Determination form.

For Charter School Facilities Program Rehabilitation, leave the number of pupils blank.

b. Check the box if the project is eligible for funding for 50 year or older permanent buildings and report, at the option of the district:

- The total number of eligible classrooms or the total eligible square footage building area at the site. Refer to Section 1859.78.6(b)(1)(A) or (b)(2)(A).
- The total number of permanent classrooms or the total permanent square footage building area that is at least 50 years old and not been previously modernized with state funds. Refer to Section 1859.78.6(b)(1)(B) or (b)(2)(B).
- Enter the greater percentage as calculated under Regulation Section 1859.78.6(b)(1)(C) or Regulation Section 1859.78.6(b)(2)(C).
- If this project includes eligible 50 year or older pupil grants, enter the appropriate number assigned to the project for each grade group. The number of pupils entered cannot exceed the cumulative number of 50 year or older permanent buildings pupil grants requested for all modernization funding applications for the site as determined by using the percentage factor above.

c. If this request includes pupil grants generated by an Alternative Enrollment Projection Method, enter the number of pupils by grade level.

d. Indicate if this request is for funding of a 6–8 school and/or an Alternative Education School.

e. Check the applicable box if the district is requesting additional pupil grants assigned to the project that exceed the capacity of the project or if the pupils assigned represent eligibility determined at another grade level and check the appropriate box to indicate under which regulation the district is applying. The pupil capacity of the project may be determined by multiplying the classrooms reported in box 3 by 25 for K–6; 27 for 7–8, 9–12 grades; 13 for non-severe and 9 for severe.

f. If the request is for replacement facilities pursuant to Section 1859.82 (a) or (b) on the same site, check the facility hardship box.

g. Enter the square footage of the non-toilet area and toilet area contained in the Charter School Facilities Program Rehabilitation project.

h. Indicate the site scenario that best represents the project request.

i. For ORG projects, the district must provide the following information in the space provided:

- Name of the eligible school site(s) where portables will be replaced in this project
- Number of portables being replaced at each school site
- Number of site specific eligible pupils being requested for this project for each school site. The total number of site specific eligible pupils assigned to this project must equal the total number of pupils in Section 2a.

3. Number of Classrooms

Enter the:

- Number of classrooms as shown on the plans and specifications (P&S). If there was demolition at the site, report the net increase in the number of classrooms showing in the P&S.
- Master plan site size, as recommended by the California Department of Education.
- Recommended site size, as determined by the California Department of Education.
- Existing Useable Acres already owned at that location (if any).
- Proposed Useable Acres that was/will be purchased as part of the application (if any).

4. Financial Hardship Request

Check the appropriate box(es) if the district is requesting financial hardship assistance because it is unable to meet its matching share requirement.

- If the district is submitting this form pursuant to Section 1859.81, the district must have received a pre-approval for financial hardship status by the OPSC. Consult the OPSC Web site at www.dgs.ca.gov/opsc for details and necessary documentation needed in order to determine eligibility.
- If there is Insufficient Bond Authority for the type of application, check the second box and attach a school board resolution pursuant to Section 1859.95.1(b).

5. New Construction Additional Grant Request

Check the appropriate box(es) if the district requests an augmentation to the new construction grant for "additional" grants for the items listed or for replacement facilities pursuant to Section 1859.82(a) and (b). Refer to Sections 1859.72 through 1859.76 and 1859.82(a) and (b) for eligibility criteria. Enter the:

a. Therapy area in square feet as provided in Section 1859.72.

b. Multilevel classrooms in the P&S pursuant to Section 1859.73.

c. Check the box if the district is requesting project assistance pursuant to Section 1859.73.1. If the district has not submitted a request for new construction baseline eligibility on a district-wide basis, it must submit a current Form SAB 50-01 based on district-wide enrollment data with this form.

d. If the project the district is requesting SFP funding for does not require an RA, refer to Section 1859.74. If a RA is required on a site that is not leased or an addition to an existing site, refer to Section 1859.74.2. If RAs are required on a leased site or an addition to an existing site, refer to Sections 1859.74.3 or 1859.74.4, respectively. The limitation of 50 percent may be exceeded when unforeseen circumstances exist, the CDE determines that the site is the best available site, and substantiation that the costs are the minimum required to complete the evaluation and RA.

1) Enter 50 percent of the actual cost.
2) Enter 50 percent of the appraised value of the site. If the request is made pursuant to Regulation Section 1859.74.5, enter 50 percent of the appraised value.
3) Enter 50 percent of the allowable relocation cost.
4) Enter two percent of the lesser of the actual cost or appraised value of the site (minimum $25,000).
5) Enter 50 percent of the Department of Toxic Substances Control (DTSC) fee for review and approval of the phase one environmental site assessment and preliminary endangerment assessment reports. Refer to Sections 1859.74, 1859.74.1, 1859.74.5, 1859.75, 1859.75.1 and 1859.81.1.

A project that received site acquisition funds under the Lease-Purchase Program (LPP) as a priority two project is not eligible for site acquisition funds under the SFP. A district-owned site acquired with LPP, SFP or Proposition 1A funds is not eligible for funding under Regulation Section 1859.74.5.

e. Enter 50 percent of the amount allowable for hazardous materials/waste removal and/or remediation for the site acquired pursuant to Sections 1859.74.2, 1859.74.3, 1859.74.4, 1859.75.1 or 1859.81.1. If an RA is required, check the box.

f. Enter 50 percent of eligible service-site development, off-site development including pedestrian safety paths and utilities costs allowed pursuant to Section 1859.76. Attach cost estimates of the proposed site development work which shall be supported and justified in the P&S. All cost estimates shall reflect 100 percent of the proposed work.

Check the box if the district is requesting an Additional Grant for General Site Development pursuant to Section 1859.76

g. If the district is requesting replacement facilities on the same site, (including seismic replacement), enter the square footage requested as provided in Section 1859.82(a) or (b).
h. If the request for seismic rehabilitation does not exceed 50 percent of the current replacement cost of the classroom or related facility, report 50 percent of the health/safety seismic mitigation cost and the ancillary costs as authorized by Section 1859.82(a).
i. Enter the square feet of eligible replacement area as provided by Section 1859.73.2.
j. If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.71.3, enter the percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.71.3(a)(3).
k. Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.71.2.
l. If the district is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.70.4, enter the number of high performance points as prescribed in Section 1859.71.6 or 1859.77.4, as appropriate, subject to Education Code Section 17070.965.

6. Modernization Additional Grant Request

a. Check the box if the district is requesting project assistance allowance pursuant to Section 1859.78.2. If the district has not submitted a request for new construction baseline eligibility on a district-wide basis, it must submit a current Form SAB 50-01 based on district-wide enrollment data with this form.
b. If the district is requesting an Additional Grant for Energy Efficiency pursuant to Section 1859.78.5, enter the percentage of energy efficiency that exceeds Title 24 requirements as prescribed in Section 1859.78.5(a)(3).
c. Check the box if the district requests an additional grant for site development utility cost necessary for the modernization of 50 years or older permanent building(s). Enter 60 percent of the eligible costs allowable pursuant to Section 1859.78.7(a).
d. Check the box(es) if the district requests and the project qualifies for additional funding for fire code requirements authorized in Section 1859.78.4.
e. If the district is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.70.4, enter the number of high performance points as prescribed in Section 1859.77.4, subject to Education Code Section 17070.965.

7. Excessive Cost Hardship Request

Check the appropriate box to request an augmentation to the New Construction or Modernization Grants for an excessive cost hardship for the items listed. Refer to Section 1859.83 for eligibility criteria. Requests for excessive cost grants for accessibility requirements are allowed only if required by the Division of the State Architect (DSA). At the district's option, the district may request three percent of the modernization base grant or enter 60 percent of the amount calculated pursuant to Regulation Section 1859.83(f). Attach a copy of the DSA approved list that shows the minimum work necessary for accessibility requirements.

If the request is for the excessive cost grant for a new Alternative Education school pursuant to Section 1859.83(c)(2) and the district wishes to request less than the maximum allowance, please submit a letter along with application indicating the desired amount.

If the request is for rehabilitation mitigation, report 80 percent or 60 percent (as appropriate) of health/safety rehabilitation mitigation cost for a modernization project as authorized by Section 1859.83(e).

8. Charter School Facilities Program Rehabilitation – Additional Grant and Excessive Cost Hardship Request

Additional Grant Request

a. If the applicant is requesting an Additional Grant for High Performance Incentive pursuant to Section 1859.77.4, enter the number of high performance points as prescribed in Section 1859.77.4.

Excessive Cost Hardship Request

Check the appropriate box to request an augmentation to the Charter School Facilities Program Rehabilitation grants for an excessive cost hardship for the items listed. Refer to Section 1859.167.4 for eligibility criteria.

b. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant due to Geographic Location pursuant to Section 1859.167.3(a).
c. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant for a small size project pursuant to Section 1859.167.3(b).
d. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant due to Urban Location, Security Requirements, and Impacted Site pursuant to Section 1859.167.3(c).
e. Check the box if the applicant requests and qualifies for an Excessive Cost Hardship Grant due to accessibility and fire code requirements pursuant to Section 1859.167.3(d). Requests for excessive cost grants for accessibility requirements are allowed only if required by the Division of the State Architect (DSA). At the applicant's option, the applicant may request three percent of the Charter School Facilities Program Rehabilitation Grant or enter 50 percent of the amount calculated pursuant to Regulation Section 1859.167.3(d)(2). Attach a copy of the DSA approved list that shows the minimum work necessary for accessibility requirements.

9. Project Priority Funding Order

Enter the priority order of this project in relation to other new construction applications submitted by the district on the same date. If applications are not received on the same date, the OPSC will assign a higher district priority to the application received first. Check the box(es) if the project meets the criteria outlined in Section 1859.92(c)(3),(4) and (6), as appropriate. This information is needed for purposes of priority points.

10. Prior Approval Under the LPP

If the project the district is requesting SFP grants for received a Phase P, S, or C approval under the LPP, report the application number of that project, regardless if the project actually received funding or was included on an "unfunded" list. Failure to report this information may delay the processing of the application by the OPSC.

11. Prior Apportionment Under the SFP

If the project received a separate apportionment under the SFP for either site and/or design, or site environmental hardship, enter the application number of the

project. Failure to report this information may delay the processing of the application by the OPSC.

12. Preliminary Apportionment to a Final Apportionment

If this request is to convert a Preliminary Apportionment to a Final Apportionment, enter the application number of the Preliminary Apportionment. Failure to report this information may delay the processing of the application by the OPSC.

13. Alternative Developer Fee

The district must report certain alternative fees collected pursuant to Government Code Section 65995.7, as of the date of application submittal to the OPSC. Refer to Section 1859.77 for details. Districts are advised that the OPSC may perform an audit of the developer fees collected prior to application approval by the Board.

14. Adjustment to New Construction Baseline Eligibility

Pursuant to Section 1859.51 certain adjustments to the district's new construction baseline eligibility must be made each time a district submits Form SAB 50-04, to the OPSC for SFP new construction or modernization grants. These adjustments are made by the OPSC based on information reported by the district on this form.

a. Report all classroom(s) provided after the district submitted its request for determination of its new construction baseline eligibility for the grades shown, or indicate N/A if there are none. Refer to Section 1859.51(i).

   In the additional classroom column, indicate the number of additional net classrooms provided if not previously reported.

   In the replacement classroom column, indicate the number of classrooms that were included in the determination of the district's new construction eligibility pursuant to Education Code Section 17071.75 but replaced in a locally funded project.

   Enter the date the initial construction contract was signed for additional or replacement classrooms.

15. Pending Reorganization Election

Complete only for new construction projects. Indicate if there is a pending reorganization election that will result in a loss of eligibility for this project. If the answer is "yes", the district must complete Form SAB 50-01, Form SAB 50-02 and Form SAB 50-03, to adjust the district's new construction baseline eligibility as a result of the reorganization and submit them with this form.

16. Joint-Use Facility/Leased Property

Check the box if:

a. The facilities to be constructed/modernized as part of this project will be for joint use by other governmental agencies.
b. The new construction or modernization grants will be used for facilities located or to be located on leased property.

17. Project Progress Dates

a. Enter the date(s) the construction contract(s) was awarded for this project(s). If a construction contract has not been executed, enter N/A. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
b. Enter the issue date(s) for the Notice to Proceed for the construction phase of the project, or enter N/A if a Notice to Proceed has not been issued.
c. If a construction contract was awarded prior to January 1, 2012, check the appropriate box to indicate whether or not the district has initiated and enforced a Labor Compliance Program (LCP) approved by the Department of Industrial Relations (DIR) pursuant to Labor Code Section 1771.7 for this project.

18. Prevailing Wage Monitoring and Enforcement Costs

If the construction contract(s) for this project was awarded on January 1, 2012 through June 19, 2014, check the appropriate box to indicate which of the following methods was or is being used to meet the requirement for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

- DIR Public Works administration and enforcement
- A DIR-approved internal LCP
- A collective bargaining agreement that meets the criteria set forth in Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014.

19. Construction Delivery Method

Check the box that best represents the construction delivery method that the district has or will use for this project, if known.

20. Career Technical Education Funds Request

Indicate if Career Technical Education (CTE) funds will be requested for classroom(s) included in the plans and specifications for this project pursuant to Section 1859.193. If "Yes", enter the number of CTE classroom(s) shown on the P&S.

21. Overcrowding Relief Grant Narrative

The district must either provide an explanation in the space provided or attach a letter signed by the district representative detailing how this project will relieve overcrowding.

22. Architect of Record or Licensed Architect Certification

The architect of record or the licensed architect must complete this section.

23. Architect of Record or Design Professional Certification

The architect of record or the appropriate design professional must complete this section.

24. Certification

The district representative must complete this section. For additional information regarding district certifications, refer to the SFP handbook located on the OPSC web site at www.dgs.ca.gov/opsc.

STATE OF CALIFORNIA
APPLICATION FOR FUNDING
SCHOOL FACILITY PROGRAM
SAB 50-04 (REV ~~04~~08/~~15~~16)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

The school district named below applies to the State Allocation Board via the Office of Public School Construction for a grant under the provisions of Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code and the Regulations thereto.

SCHOOL DISTRICT		APPLICATION NUMBER
SCHOOL NAME		PROJECT TRACKING NUMBER
COUNTY	DISTRICT REPRESENTATIVE'S E-MAIL ADDRESS	HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (IF APPLICABLE)

1. Type of Application—Check Only One

☐ New Construction
☐ New Construction (Final Apportionment)
☐ New Construction (Final Charter School Apportionment)
☐ New Construction (Overcrowding Relief Grant)
☐ Rehabilitation (Final Charter School Apportionment)
☐ Modernization
☐ Modernization of California Schools for Deaf/Blind

Separate Apportionment

☐ Site Only—New Construction [Section 1859.81.1]
☐ Site Only (District owned)—New Construction [Section 1859.81.2]
☐ Site Only—Environmental Hardship [Section 1859.75.1]
☐ Design Only—New Construction [Section 1859.81.1]
☐ Design Only—New Construction with High Performance
☐ Design Only—Modernization
☐ Design Only—Modernization with High Performance
☐ Design Only—Modernization of California Schools for Deaf/Blind
☐ Facility Hardship [Section 1859.82(a)]
  ☐ Seismic Replacement
  ☐ Seismic Rehabilitation
☐ Facility Hardship [Section 1859.82(b)]
☐ Rehabilitation [Section 1859.83(e)]
☐ Advance Funding for Evaluation and RA

2. Type of Project

a. ☐ Elementary School
☐ Middle School
☐ High School

Total Pupils Assigned:
K–6: _____
7–8: _____
9–12: _____
Non-Severe: _____
Severe: _____

b. ☐ 50 Years or Older Building Funding (Modernization Only)
Total Eligible Classrooms/Square Footage: _____
Classroom/Square Footage at Least 50 Years Old: _____
Ratio of 50 Years Old Classrooms/Square Footage: _____ %
From 2a above, how many are 50 Year or Older Pupil Grants?
K–6: _____
7–8: _____ Non-Severe: _____
9–12: _____ Severe: _____

c. Included in 2a above, how many pupils are generated by the Alternative Enrollment Projection? (New Construction Only)
K–6: _____
7–8: _____ Non-Severe: _____
9–12: _____ Severe: _____

d. Is this a 6–8 school? ☐ Yes ☐ No
If you answered yes, how many K–6 pupils reported above are sixth graders? _____
Is this an Alternative Education School? ☐ Yes ☐ No

e. Is this a use of grant request pursuant to Section 1859.77.2? ☐ Yes ☐ No
Is this request pursuant to Section 1859.77.2(c)? ☐ Yes ☐ No
If yes, enter date of successful bond election: _____
Is this a use of grant request pursuant to Section 1859.77.3? ☐ Yes ☐ No
Is this request pursuant to Section 1859.77.3(c)? ☐ Yes ☐ No
If yes, enter date of successful bond election: _____

f. ☐ Facility Hardship (no pupils assigned)

g. Charter School Facilities Program Rehabilitation Request:
Toilets (sq. ft.) _____
Other (sq. ft.) _____

h. Project to be located on:
☐ Leased Site
☐ New Site
☐ Existing Site with Additional Acreage Acquired
☐ Existing Site with No Additional Acreage Acquired

i. ORG Projects Only

NAME OF ELIGIBLE SCHOOL SITE(S)	NUMBER OF PORTABLES BEING REPLACED	NUMBER OF SITE SPECIFIC ELIGIBLE PUPILS BEING REQUESTED
	Total	

3. Number of Classrooms: _____
Master Plan Acreage Site Size (Useable): _____
Recommended Site Size (Useable): _____
Existing Acres (Useable): _____
Proposed Acres (Useable): _____

4. Type of Financial Hardship Request

☐ Submittal with OPSC "pre-approval" letter
☐ Submittal with school board resolution, pursuant to Section 1859.95.1 (Insufficient Bond Authority)

5. New Construction Additional Grant Request—New Construction Only

a. Therapy: Toilets (sq. ft.) _____
Other (sq. ft.) _____

b. Multilevel Construction (CRS): _____

c. ☐ Project Assistance

d. Site Acquisition:
(1) 50 percent Actual Cost: $ _____
(2) 50 percent Appraised Value: $ _____
(3) 50 percent Relocation Cost: $ _____
(4) 2 percent (min. $25,000): $ _____
(5) 50 percent DTSC Fee: $ _____

e. 50 percent hazardous waste removal: $ _____
☐ Response Action (RA)

f. Site Development
☐ 50 percent Service-Site: $ _____
☐ 50 percent Off-Site: $ _____
☐ 50 percent Utilities: $ _____
☐ General Site

g. Facility Hardship Section 1859.82(a) or (b)
☐ Toilet (sq. ft.): _____
☐ Other (sq. ft.): _____

h. ☐ Seismic Rehabilitation [Section 1859.82(a)] $ _____

i. Replacement area
☐ Toilet (sq. ft.): _____
☐ Other (sq. ft.): _____

j. ☐ Energy Efficiency: _____ %

k. ☐ Automatic Fire Detection/Alarm System
☐ Automatic Sprinkler System

l. ☐ High Performance Incentive (Indicate Points): _____

6. Modernization Additional Grant Request

a. ☐ Project Assistance

b. ☐ Energy Efficiency: _____ %

c. ☐ Site Development—60 percent utilities: $ _____

d. ☐ Automatic Fire Detection/Alarm System

e. ☐ High Performance Incentive (Indicate Points): _____

7. Excessive Cost Hardship Request

New Construction Only

☐ Geographic Percent Factor: _____ %
☐ New School Project [Section 1859.83(c)(1)]
☐ New School Project [Section 1859.83(c)(2)]
☐ Small Size Project
☐ Urban/Security/Impacted Site;
If a new site, $ _____ per Useable Acre [Section 1859.83(d)(2)(C)]

Modernization Only

☐ Rehabilitation/Mitigation [Section 1859.83(e)]: $ _____
☐ Geographic Percent Factor: _____ %
☐ Small Size Project
☐ Urban/Security/Impacted site
☐ Accessibility/Fire Code
☐ 3 percent of base grant; or,
☐ 60 percent of minimum work $ _____
☐ Number of 2-Stop Elevators: _____
☐ Number of Additional Stops: _____

8. Charter School Facilities Program Rehabilitation Additional Grant and Excessive Cost Hardship Request

Additional Grant Request

a. ☐ High Performance Incentive (Indicate Points): _____

Excessive Cost Hardship Request

b. ☐ Geographic Percent Factor: _____%
c. ☐ Small Size Project
d. ☐ Urban/Security/Impacted site
e. ☐ Accessibility/Fire Code
☐ 3 percent of base grant; or,
☐ 50 percent of minimum work $ _____
☐ Number of 2-Stop Elevators: _____
☐ Number of Additional Stops: _____

9. Project Priority Funding Order—New Construction Only

Priority order of this application in relation to other new construction applications submitted by the district at the same time: # _____

Project meets:
☐ Density requirement pursuant to Section 1859.92(c)(3).
☐ Stock plans requirement pursuant to Section 1859.92(c)(4).
☐ Energy efficiency requirement pursuant to Section 1859.92(c)(6).

10. Prior Approval Under the LPP

New Construction: 22/ _____
Modernization: 77/ _____

11. Prior Apportionment Under the SFP

Site/Design—New Construction: 50/ _____
Design—Modernization: 57/ _____

12. Preliminary Apportionment to Final Apportionment

Preliminary Apportionment Application Number: # _____

13. Alternative Developer Fee—New Construction Only

Alternative developer fee collected and reportable pursuant to Regulation Section 1859.77: $ _____

14. Adjustment to New Construction Baseline Eligibility

a. Classroom(s) provided:

Additional		Replacement	
K–6:	_____	K–6	_____
7–8:	_____	7–8	_____
9–12:	_____	9–12	_____
Non-Severe:	_____	Non-Severe	_____
Severe:	_____	Severe	_____

Construction Contract(s) for the project signed on:

_____ _____

15. Pending Reorganization Election—New Construction Only ☐ Yes ☐ No

16. Joint-Use Facility/Leased Property

a. ☐ Joint-Use Facility
b. ☐ Leased Property

17. Project Progress Dates

a. Construction Contract(s) awarded on: _____
(If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)
b. Notice(s) to Proceed issued on: _____
c. If the Construction Contract(s) was awarded prior to January 1, 2012, have you initiated and enforced an LCP approved by the DIR pursuant to Labor Code Section 1771.7 for this project? ☐ Yes ☐ No

18. Prevailing Wage Monitoring and Enforcement Costs

If the Construction Contract(s) was awarded on January 1, 2012 through June 19, 2014, please indicate which monitoring requirement was or is being used, pursuant to Labor Code Section 1771.3 in effect on January 1, 2012 through June 19, 2014:

☐ DIR Public Works administration and enforcement
☐ DIR approved District LCP
☐ Collective bargaining agreement, pursuant to Labor Code Section 1771.3(b)(3) in effect on January 1, 2012 through June 19, 2014

19. Construction Delivery Method

☐ Design-Bid-Build
☐ Design-Build
☐ Developer Built
☐ Lease Lease-Back
☐ Energy Performance Contract
☐ This project includes or will include piggyback contract(s) as defined in Section 1859.2
☐ Other: _____

20. Career Technical Education Funds Request

Will CTE Funds be requested for classroom(s) included in the plans and specifications for this project? ☐ Yes ☐ No
Number of CTE classroom(s): _____

21. Overcrowding Relief Grant Narrative

_____
_____
_____
_____

22. Architect of Record or Licensed Architect Certification

I certify as the architect of record for the project or as a licensed architect that:

- The P&S for this project were submitted to the OPSC by electronic medium (i.e., CD-ROM, zip disk or diskette) or as an alternative, if the request is for a modernization Grant, the P&S were submitted in hard copy to the OPSC.
- Any portion of the P&S requiring review and approval by the Division of the State Architect (DSA) were approved by the DSA on _____ (enter DSA approval date).
- Any portion of the P&S not requiring review and approval by the DSA meets the requirements of the California Code of Regulations, Title 24, including any handicapped access and fire code requirements.
- If the request is for a Modernization or Charter School Facilities Program Rehabilitation Grant, the P&S include the demolition of more classrooms than those to be constructed in the project, the difference is _____ classroom(s). (Indicate N/A if there are none.)
- If the request is for a Modernization or Charter School Facilities Program Rehabilitation Grant, the P&S include the construction of more classrooms than those to be demolished in the project, the difference is _____ classroom(s). (Indicate N/A if there are none.)

ARCHITECT OF RECORD OR LICENSED ARCHITECT (PRINT NAME)

SIGNATURE	DATE

23. Architect of Record or Design Professional Certification

I certify as the architect of record for the project or the appropriate design professional, that:

- If the request is for a New Construction Grant, not including the ORG, I have developed a cost estimate of the proposed project which indicates that the estimated construction cost of the work in the P&S including deferred items (if any) relating to the proposed project, is at least 60 percent of the total grant amount provided by the State and the district's matching share, less site acquisition costs and the High Performance Base Incentive Grant. This cost estimate does not include site acquisition, planning, tests, inspection, or furniture and equipment and is available at the district for review by the OPSC.
- If the request is for a Modernization or Charter School Facilities Program Rehabilitation Grant, I have developed a cost estimate of the proposed project which indicates that the estimated construction cost of the work in the P&S, including deferred items and interim housing (if any) relating to the proposed project, is at least 60 percent of the total grant amount provided by the State and the district's matching share , less the High Performance Base Incentive Grant. This cost estimate does not include planning, tests, inspection or furniture and equipment and is available at the district for review by the OPSC.

ARCHITECT OF RECORD OR DESIGN PROFESSIONAL (PRINT NAME)

SIGNATURE	DATE

24. Certification

I certify, as the District Representative, that the information reported on this form, with the exception of items 22 and 23, is true and correct and that:

- I am an authorized representative of the district as authorized by the governing board of the district; and,
- A resolution or other appropriate documentation supporting this application under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et. seq., of the Education Code was adopted by the school district's governing board or the designee of the Superintendent of Public Instruction on, _____; and,
- The district has established a "Restricted Maintenance Account" for exclusive purpose of providing ongoing and major maintenance of school buildings and has developed an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (refer to Sections 1859.100 through 1859.102); and,
- The district has considered the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and,
- If this funding request is for the modernization of portable classrooms eligible for an additional apportionment pursuant to Education Code Section 17073.15, the district certifies that (check the applicable box below):
  - ☐ 1. The state modernization funds will be used to replace the portable classrooms and permanently remove the displaced portables from the classroom use within six months of the filing of the Notice of Completion for the project; or,
  - ☐ 2. It has provided documentation to the Office of Public School Construction which indicates that modernizing the portable classrooms eligible for an additional apportionment is better use of public resources than the replacement of these facilities.
- ~~Facilities to be modernized have not been previously modernized with Lease-Purchase Program, Proposition 1A Funds or School Facility Program state funds; and,~~
- Facilities to be rehabilitated under the Charter School Facilities Program previously funded with School Facility Program State funds meet the requirements of Section 1859.163.6; and,
- All contracts entered on or after November 4, 1998 for the service of any architect structural engineer or other design professional for any work under the project have been obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Section 4525) of Division 5, of Title 1, of the Government Code; and,
- If this request is for new construction funding, the district has received approval of the site and the plans from the CDE. Plan approval is not required if request is for separate design apportionment; and,
- If this request is for modernization or Charter School Facilities Program Rehabilitation funding, the district has received approval of the plans for the project from the CDE. Plan approval is not required if request is for separate design apportionment; and,
- The district has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This district has or will comply with Education Code Section 17076.11 regarding at least a 3 percent expenditure goal for disabled veteran business enterprises; and,
- The district matching funds required pursuant to Sections 1859.77.1 or 1859.79 has either been expended by the district, deposited in the County School Facility Fund or will be expended by the district prior to the notice of completion for the project; and,
- The district has received the necessary approval of the plans and specifications from the Division of the State Architect unless the request is for a separate site and/or design apportionment; and,
- If the district is requesting site acquisition funds as part of this application, the district has complied with Sections 1859.74 through 1859.75.1 as appropriate; and,
- With the exception of an apportionment made pursuant to Section 1859.75.1, the district understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 18 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105); and,
- If the apportionment for this project was made pursuant to Section 1859.75.1, the district understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 12 months of receipt of any funding shall be cause for the rescission of the unexpended funds (refer to Section 1859.105.1); and,
- The district understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (refer to Section 1859.90); and,
- The statements set forth in this application and supporting documents are true and correct to the best of my knowledge and belief; and,
- All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximize interaction between those individuals with exceptional needs and other pupils as appropriate to the needs of both; and,
- This form is an exact duplicate (verbatim) of the form provided by the OPSC. In the event a conflict should exist, the language in the OPSC form will prevail; and,
- The district understands that some or all of the State funding for the project must be returned to the State as a result of an audit pursuant to Sections 1859.105, 1859.105.1, 1859.106; and,
- The district has complied with the provisions of Sections 1859.76 and 1859.79.2 and that the portion of the project funded by the State does not contain work specifically prohibited in those Sections; and,
- If the SFP grants will be used for the construction or modernization of school facilities on leased land, the district has entered into a lease agreement for the leased property that meets the requirements of Section 1859.22; and,
- If the application contains a "Use of New Construction Grant" request, the district has adopted a school board resolution and housing plan at a public hearing at a regularly scheduled meeting of the governing board on _____
- as specified in Sections 1859.77.2, or 1859.77.3, as appropriate. The district's approved housing plan is as indicated (check all that apply):
  - ☐ 1. The district will construct or acquire facilities for housing the pupils with funding not otherwise available to the SFP as a district match within five years of project approval by the SAB and the district must identify the source of the funds. [Applicable for Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)]
  - ☐ 2. The district will utilize higher district loading standards providing the loading standards are within the approved district's teacher contract and do not exceed 33:1 per classroom. [Applicable for Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)]
  - ☐ 3. The pupils requested from a different grade level will be housed in classrooms at an existing school in the district which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project. [Applicable for Sections 1859.77.2(b) and 1859.77.3(b)]

- If the district requested additional funding for fire code requirements pursuant to Sections 1859.71.2 or 1859.78.4, the district will include the automatic fire detection/alarm system and/or automatic sprinkler system in the project prior to completion of the project; and,
- The district has consulted with the career technical advisory committee established pursuant to Education Code Section 8070 and the need for vocational and career technical facilities is being adequately met in accordance with Education Code Sections 51224, 51225.3(b), and 51228(b), and 52336.1; and,
- If the district is requesting an Additional Grant for Energy Efficiency pursuant to Sections 1859.71.3 or 1859.78.5, the increased costs for the energy efficiency components in the project exceeds the amount of funding otherwise available to the district; and,
- If this application is submitted after January 1, 2004 for modernization funding, the district has considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant federal, state, and local standards for the management of any identified lead; and,
- The district has initiated and enforced an LCP that has been approved by the DIR, pursuant to Labor Code Section 1771.7, if the project is funded from Propositions 47 or 55 and the Notice to Proceed for the construction phase of the project is issued on or after April 1, 2003 and before January 1, 2012; and,
- The district has contracted with the DIR for prevailing wage monitoring and enforcement pursuant to Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014, if the construction contract was awarded on January 1, 2012 through June 19, 2014 and the district has not obtained a waiver for the requirement, pursuant to Labor Code Section 1771.3(b) in effect on January 1, 2012 through June 19, 2014. The district understands that if it fails to meet this requirement, it will be required to repay all state bond funds received including interest; and,
- Beginning with the 2005/2006 fiscal year, the district has complied with Education Code Section 17070.75(e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair; and,
- If this application is submitted pursuant to Section 1859.180, the district certifies that within six months of occupancy of the permanent classrooms, it will remove the replaced portables from the eligible school site and K–12 grade classroom use with the exception of schools described in Education Code Section 17079.30(c); and,
- The district has considered the feasibility of using designs and materials for the new construction or modernization project that promote the efficient use of energy and water, maximum use of natural light and indoor air quality, the use of recycled materials and materials that emit a minimum of toxic substances, the use of acoustics conducive to teaching and learning, and the other characteristics of high performance schools; and,
- If the district is requesting an additional grant for high performance incentive funding, the school district governing board must have a resolution on file that demonstrates support for the high performance incentive grant request and the intent to incorporate high performance features in future facilities projects; and,
- If this application is submitted when there is Insufficient Bond Authority, the district has adopted a school board resolution pursuant to Section 1859.95.1; and,
- The district will comply with all laws pertaining to the construction or modernization of its school building.

NAME OF DISTRICT REPRESENTATIVE (PRINT)	PHONE NUMBER
SIGNATURE OF DISTRICT REPRESENTATIVE	DATE

STATE OF CALIFORNIA

FUND RELEASE AUTHORIZATION

SCHOOL FACILITY PROGRAM

SAB 50-05 (REV ~~10~~08/~~14~~16)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

GENERAL INFORMATION

(Refer to Title 2, California Code of Regulations, Sections 1859.90 and 1859.91)

After a School Facility Program (SFP) grant has been funded by the Board, the Office of Public School Construction (OPSC) will release the apportioned funds with the exception of design funds, to the appropriate county treasury once the district has completed and submitted this form to the OPSC. Design funds will automatically be released to the district within 30 days of the apportionment, with the exception of Preliminary Apportionments.

The following documents must be submitted with this form (as appropriate):

1. Signature page of the contract(s) that meets the requirement for a fund release (Part V and/or VII).
2. Notice(s) to Proceed.
3. For projects for which construction contracts were awarded prior to January 1, 2012, and that require a Labor Compliance Program (LCP) pursuant to Labor Code Section 1771.7:
   - All school district and/or third party provider Department of Industrial Relations approval letters (initial, extension(s) and/or final).
   - Third party contract(s).
   - A written finding that the district has initiated and enforced, or had contracted with a third party to initiate and enforce, an LCP pursuant to Section 1859.97(a).
   - If the district is submitting this form pursuant to Section 1859.90.2 on or after July 1, 2013, and if the district's LCP approval or contract date with an approved third party is subsequent to the construction contract date(s), the district must have submitted an LCP third party's report, pursuant to Section 1859.97(b), at least 60 days prior to submitting this form.
4. For new construction projects that complete Part V attach:
   - Accepted bid documents including additive/deductive alternates.

For the purposes of completing this form to obtain a fund release for a Final Charter School Apportionment, a charter school shall be treated as a school district.

For the purposes of completing this form to obtain a fund release for a Final Career Technical Education Facilities Apportionment, a joint powers authority shall be treated as a school district.

SPECIFIC INSTRUCTIONS

Part I. Preliminary Apportionment—Design Only

Check the boxes if the district has current financial hardship status pursuant to Section 1859.81 and is requesting release of Preliminary Apportionment funds for design, engineering, and other preconstruction project costs. Attach to this form the California Department of Education (CDE) Letter pursuant to Section 1859.149(a)(2).

Part II. Preliminary Charter School Apportionment

Check the boxes if the charter school is requesting a release of a Preliminary Charter School Apportionment for design and/or separate site apportionment pursuant to Section 1859.164.2. Attach to this form the Charter School Agreements.

Part III. Separate Site Apportionment

Check the box, for release of a separate site apportionment provided pursuant to Sections 1859.75.1 or 1859.81.1 or for release of Preliminary Apportionment site only acquisition pursuant to 1859.153(b) or (c).

Part IV. Overcrowding Relief Grant - Advance Site Funds

Check the boxes if the district is requesting an advance release of funds pursuant to Section 1859.184.1.

Part V. New Construction/Modernization/Charter School Rehabilitation

Check the box(es) for release of new construction, modernization or rehabilitation funds and enter the following:

a. Date of written approval by the Division of the State Architect (DSA).
b. Enter the percent of the construction the district has under binding contract(s).
c. Issue date of the Notice to Proceed for the construction phase of the project(s); and,
d. Award date(s) of the construction contract(s) entered into by the district for this project. (If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

For Final Charter School Apportionment attach to this form the Charter School Agreements if not previously submitted or if since revised.

Part VI. New Construction—Site Acquisition Only

Check the boxes if the district is requesting a separate release of site acquisition funds as part of a new construction project.

Part VII. Joint-Use Projects

Check the boxes if the district is requesting release of joint-use project funds.

Part VIII. Identify District and Joint-Use Partners' Funding Sources

Check the appropriate box(es) that identify the district funding sources that have or will be used for the district's share of the project.

Part IX. Career Technical Education Facilities Projects

Check the appropriate box(es) in Part ~~VIII~~IX if the district is requesting a release of Career Technical Education Facilities funds.

Part X. Identify District's Construction Delivery Method

Check the appropriate box that identifies the construction delivery method that the district utilized for this project.

STATE OF CALIFORNIA

FUND RELEASE AUTHORIZATION

SCHOOL FACILITY PROGRAM

SAB 50-05 (REV ~~10~~08/~~14~~16)

STATE ALLOCATION BOARD
OFFICE OF PUBLIC SCHOOL CONSTRUCTION

SCHOOL DISTRICT	APPLICATION NUMBER
SCHOOL NAME	FIVE-DIGIT DISTRICT CODE NUMBER (SEE CALIFORNIA PUBLIC SCHOOL DIRECTORY)
COUNTY	HIGH SCHOOL ATTENDANCE AREA (HSAA) (IF APPLICABLE)

Part I. Preliminary Apportionment—Design Only

☐ The district certifies it has complied with Section 1859.149(a).

☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

☐ The district certifies that it currently has Financial Hardship status under the provisions of Section 1859.81.

Part II. Preliminary Charter School Apportionment

A. Design Only

Pursuant to Section 1859.164.2(a), must be able to check all boxes:

☐ The Charter School certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the Charter School for the project
- will be expended by the Charter School prior to the Notice of Completion for the project

☐ The Charter School certifies it has current financial soundness status from the California School Finance Authority.

☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

B. Separate Site Apportionment

Pursuant to Section 1859.164.2(b), must be able to check all boxes:

☐ Release site acquisition funds. The Charter School certifies the funds are needed to place on deposit in order to secure the site acquisition.

☐ The Charter School certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the Charter School for the project
- will be expended by the Charter School prior to the Notice of Completion for the project

☐ The Charter School certifies it has current financial soundness status from the California School Finance Authority.

☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

Part III. Separate Site Apportionment

☐ RA on additions to existing school sites pursuant to Section 1859.74.4.

Pursuant to Sections 1859.75.1 or 1859.81.1, district must be able to check both boxes:

☐ Release site acquisition funds. The district certifies the funds are needed to place on deposit in order to secure the site acquisition.

☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

Part IV. Overcrowding Relief Grant - Advance Site Funds

Pursuant to Section 1859.184.1, districts that have received Financial Hardship approval that are acquiring sites through condemnation must be able to check all boxes:

☐ Release site acquisition funds. The district certifies the funds are needed to place on deposit in order to secure the site acquisition.

☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

☐ The district certifies that it will produce an order of prejudgment possession once obtained from the court, and prior to any additional fund releases for the project.

Part V. New Construction/Modernization/Charter School Rehabilitation

District/Charter School must be able to check all boxes:

☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

☐ The district certifies it has entered into a binding contract(s) for _____ percent of the construction (must be at least 50 percent of the construction included in the plans and specifications applicable to the state funded project), which received written DSA approval on _____, and has issued the Notice(s) to Proceed on _____ for that contract(s) awarded on _____.
(If the space provided is not sufficient for all applicable contract dates, please list all dates on a separate attachment to this form.)

☐ If the district certified compliance with Education Code Section 17070.955 on its Application for Funding (Form SAB 50-04) and if it was not previously sent with the Form SAB 50-04, then the district must submit written confirmation from the district's career technical advisory committee indicating that the need for vocational and career technical facilities is being adequately met within the district consistent with Education Code Sections 51224, 51225.3(b), 51228(b), and 52336.1.

The Charter School must also be able to check the following box:

☐ The Charter School certifies it has entered into the Charter School Agreements pursuant to Section 1859.164.2.

The amount of State funds released for new construction shall be 100 percent of the total SFP New Construction Adjusted Grant, less any site acquisition funds previously released in Part III.

The amount of State funds released for modernization shall be 100 percent of the SFP Modernization Adjusted Grant.

Part VI. New Construction—Site Acquisition Only

District must be able to check both boxes:

☐ The district certifies it has entered escrow for the site (attach copy of escrow instructions).

☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

The amount of State funds released shall be equal to the additional grant provided for site acquisition.

Part VII. Joint-Use Projects

☐ The district certifies that the Joint-Use Partners' financial contribution has either:
- been received and deposited in the County School Facility Fund
- has been received and expended by the district
- will be received and expended by the district prior to the Notice of Completion for the project

☐ The district certifies it has entered into a binding contract(s) for _____ percent of the construction (must be at least 50 percent of the construction included in the plans and specifications applicable to the state funded project), and has issued the Notice to Proceed on _____ for that contract signed on _____.

The amount of State funds released for new construction shall be 100 percent of the Joint-Use Grant.

Part VIII. Identify District and Joint-Use Partners' Funding Sources

☐ Available bond funds such as general obligation, or Mello-Roos.

☐ Available developer fees, proceeds from the sale of surplus property, or federal grants.

☐ Other funds available (identify)

☐ Funds already expended by the district for the project.

☐ Funds already expended by the Joint-Use Partners for the project.

☐ Future revenue sources to be used for the project (identify)

Part IX. Career Technical Education Facilities Projects

☐ The district certifies that its applicable matching share has either:
- been deposited in the County School Facility Fund
- has already been expended by the district for the project
- will be expended by the district prior to the Notice of Completion for the project

☐ If the district requested a loan for its matching share pursuant to Section 1859.194, the district certifies that it has entered into a loan agreement with the State.

Part X. Identify District's Construction Delivery Method

☐ Design-Bid-Build

☐ Design-Build

☐ Developer Built

☐ Lease Lease-Back

☐ Energy Performance Contract

☐ This project includes or will include piggyback contract(s), as defined in Section 1859.2

☐ Other: _____

I certify, as the District Representative, that the information reported on this form is true and correct and that:

- I am an authorized representative of the district as authorized by the governing board of the district; and
- The site where buildings will be modernized or rehabilitated must comply with Education Code Sections 17212, 17212.5, and 17213; and,
- The grant amount provided by the State, combined with local matching funds or the Joint-Use Partner's financial contribution, are sufficient to complete the school construction project, unless the request is for a separate site and/or design apportionment; and,
- The district has or will comply with the Public Contract Code regarding all laws governing the use of force account labor; and,
- This project for which the grant amount is provided complies with Education Code Sections 17070.50 and 17072.30; and,
- The district shall certify at the time of a fund release for the project that it complies with Section 1859.90.4.
- This form is an exact duplicate (verbatim) of the form provided by the Office of Public School Construction (OPSC). In the event a conflict should exist, then the language in the OPSC form will prevail; and,
- If required by Labor Code Section 1771.7, the district has initiated and enforced an LCP that has been approved by the DIR.
- If required by Labor Code Section 1771.3(a) in effect on January 1, 2012 through June 19, 2014, DIR has or will perform the required Prevailing Wage Monitoring and Enforcement for the project, or the requirement is waived pursuant to Labor Code Section 1771.3(b) in effect on January 1, 2012 through June 19, 2014. The district understands that if it fails to meet this requirement, it will be required to repay all state bond funds received including interest.

SIGNATURE OF DISTRICT OR JPA REPRESENTATIVE	DATE
NAME OF DISTRICT OR JPA REPRESENTATIVE (PRINT)	TITLE
EMAIL ADDRESS	TELEPHONE NUMBER

Unused Sites Program

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

UNUSED SITES

EXHIBIT/APPL. NO. 92/64717-00-00

Little Lake City Elementary School District – Los Angeles County

PURPOSE OF REPORT

To present the District's request for the State Allocation Board (Board) to grant a refund of the 2008/09 through 2014/15 Fiscal Year Unused Site Assessment fees.

DESCRIPTION

The District was assessed a total of $308,210 in unused site fees for the 2008/09 through 2014/15 Fiscal Years due to a reporting error. The District recently submitted documentation indicating that this site has qualified for a fee waiver since 1992. Therefore, the District is requesting a refund of the unused site assessment fees that were erroneously withheld for the 2008/09 through 2014/15 Fiscal Years, as shown below.

Site	Year	Fees Withheld	Recommendation
Gettysburg Site (9703107)	2008/09	$44,302	Refund
Gettysburg Site (9703107)	2009/10	$42,530	Refund
Gettysburg Site (9703107)	2010/11	$42,530	Refund
Gettysburg Site (9703107)	2011/12	$42,530	Refund
Gettysburg Site (9703107)	2012/13	$42,955	Refund
Gettysburg Site (9703107)	2013/14	$45,103	Refund
Gettysburg Site (9703107)	2014/15	$48,260	Refund
	Total:	$308,210	

AUTHORITY

Pursuant to Education Code (EC) Section 17219(f), nonuse payments shall not be required for "a schoolsite that was leased at least one-half of the days in that year in a manner that subjected the site to property taxes equal to the taxes that would have been paid if the site had been sold."

BACKGROUND

EC Section 17219(f) allows for districts to receive a waiver if the site is used by a private party who is paying possessory taxes, for at least one-half the fiscal year. The District erroneously failed to request a waiver of the fees that they qualified for in 2008/09 to 2014/15, but recently certified to the fee waiver qualifications for those years. Additionally, the District submitted documentation certifying that the Gettysburg site has been leased to a private party continuously since 1984, therefore, they should not be charged unused site assessment fees for this site.

STAFF ANALYSIS/STATEMENTS

The District has provided a copy of the lease and certification to the exemption, to support its request.

RECOMMENDATION

Approve the District's request for a refund of the 2008/09 through 2014/15 Fiscal Year Unused Site Assessment fees of $308,210, and notify the State Controller's Office to refund the Unused Site Assessment fees as indicated.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

UNUSED SITES

EXHIBIT/APPL. NO. 92/72256-00-00

Visalia Unified School District – Tulare County

PURPOSE OF REPORT

To present the District's request for the State Allocation Board (Board) to grant a refund of the Fiscal Year (FY) 2014/15 unused site assessment fee.

DESCRIPTION

The District was assessed an unused site fee of $10,637 for the FY 2014/15 at the December 2015 Board meeting, which was deducted from the District's State School Fund Apportionment during the months of February through May 2016. Records show that the unused property assessed was sold in 2014 and should not have been assessed a fee. Therefore, the District is eligible for a refund of the unused site assessment fee that was withheld for the 2014/15 FY.

Site	Year	Annual Payment	Recommendation
Polly Property #1 (9831629)	2014/15	$10,637	Refund

AUTHORITY

Pursuant to Education Code (EC) Section 17223(a), "Whenever a school district has either begun to use an unused site or has sold that site within two years of the date the Controller, pursuant to Section 17222, has deducted a certified nonuse payment from the district's State School Fund apportionment, the State Allocation Board shall certify that fact to the Controller. The Controller shall then cease to withhold any additional payments and shall return to the district from the State School Site Utilization Fund the payments, without interest, which had been withheld for the particular site during the prior fiscal year … ."

BACKGROUND

As required by law, all school districts are required to report any unused school sites to the Board annually. The school districts self-certify requests for waivers and reduction of fees based on certain criteria outlined in EC Section 17219. EC Section 17223(a) allows for districts to receive a refund for sites that a district has begun to use or has sold during the previous fiscal year.

STAFF ANALYSIS/STATEMENTS

The District has provided documentation to support its request.

RECOMMENDATION

Approve the District's request for a refund of the 2014/15 FY unused site assessment fee of $10,637 and notify the State Controller's Office to cease collection and return this amount withheld for the annual payment for the Polly Property #1.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

UNUSED SITES PROGRAM
ASSESSMENTS, ADDITIONS, WAIVERS, REDUCTION OF FEES AND DELETIONS

PURPOSE OF REPORT

To request the State Allocation Board (Board) approve the following reports:

- Unused School Site Payments (Attachment B)
- Waivers of Assessment of Fees for Unused School Sites (Attachment C)
- Reduction of Fees for Unused School Sites (Attachment D)
- Added Unused School Sites (Attachment E)
- Deleted Unused School Sites (Attachment F)

DESCRIPTION

Current statute requires all school districts to report their unused sites to the Board on an annual basis. Using the information provided, the school districts are assessed a fee for each unused site equal to one percent of the value of the site. A school district may request a waiver or a reduction of the fee for any site, provided that the school district meets certain criteria for the use of the site. School districts are also required to report any newly acquired site or sites that are no longer being used for school purposes. A site may be deleted from the Unused Sites Program when a school district sells a site, begins construction on a site or reopens a site for school purposes.

This item is requesting the Board approve the nonuse payments, waivers, reduction of fees, additions and deletions for unused school sites as shown on the attachments.

AUTHORITY

Please see Attachment A.

BACKGROUND

As required by law, all school districts are required to report any unused school sites to the Board annually. The school districts self-certify requests for waivers and reduction of fees based on certain criteria outlined in Education Code (EC) Section 17219. In addition, school districts are required to report any newly acquired or closed school sites. An unused school site may be deleted if a school district has sold, constructed a new school or reopened a previously closed school site.

Funds collected by the State Controller's Office are transferred to the State School Site Utilization Fund.

STAFF ANALYSIS/STATEMENTS

Unused School Site Payments

The school districts on Attachment B are being assessed unused school site fees based on the self-certified reports submitted to the Office of Public School Construction (OPSC). This information will authorize the State Controller's Office to withhold an amount equal to the school districts' total assessed fee, in four equal installments, during the months of February through May as prescribed in law. A total of $3,701,152 will be withheld for the Fiscal Year 2015/2016.

(Continued on Page Two)

STAFF ANALYSIS/STATEMENTS (cont.)

Waivers of Assessment of Fees for Unused School Sites

Attachment C lists school districts that have submitted self-certified documents requesting a waiver of the unused school site assessment due to the State. The school districts must meet any one of the following conditions to be eligible for a waiver:

a. The school district has resolved to use the site for the purpose for which it was intended within a specified period of time (Will be used within 1, 2 or 3 years);
b. The site has a value less than the exemption amount of $46,841 for the current Fiscal Year (Below Minimum);
c. The school district has advertised the school site for sale and received no bids that, in the judgment of the Board, reflect the fair market value of the property (Attempted to sell);
d. The site was used for at least one-half of the year for purposes as specified in law (Community Use, Child Care Program);
e. The site was leased for at least one-half of the year to a tenant that is paying possessory taxes on the site (Leased to Tenant); or,
f. Nonuse payments would cause the school district to receive less than $120 per pupil in average daily attendance in the school district during the preceding school year (Basic Aid).

Reduction of Fees for Unused School Sites

The school district listed on Attachment D is requesting a reduction of unused school site fees for either of the following reasons as self-certified by the school district:

a. The payment of bond debt service costs that are directly related to the actual construction of school facilities; or,
b. A modification of the adjusted value of the site.

If the debt service amount is less than the unused school site fee assessment, the specific percentage of reduction will be reflected on Attachment D.

Added Unused School Sites

The school districts on Attachment E have reported newly acquired school sites or closed school sites, as required by law. Newly acquired school sites will not be subject to an unused school site fee for a period of five years from the date of acquisition for elementary school districts with any grade combination of Kindergarten (K) through eight and for all unified school districts with sites designated for K through six. Any high school districts or unified school districts with sites designated for grades seven through twelve will not be assessed an unused school site fee for a period of seven years. Any unused school site that has previously been utilized as a school but is no longer in use for school purposes, will not be subject to an unused school site fee for a period of five years.

Deleted Unused School Sites

Attachment F lists the unused school sites that have been sold, have begun or completed construction, opened or reopened for school purposes, based on self-certification by the school districts. These school sites will no longer be assessed an unused school site fee.

(Continued on Page Three)

RECOMMENDATIONS

1. Authorize the State Controller's Office to withhold each school district's nonuse payments as listed on Attachment B.

2. Approve the waivers as shown on Attachment C.

3. Approve the nonuse payment reductions as shown on Attachment D.

4. Approve the added unused school sites as shown on Attachment E.

5. Approve the deletion of unused school sites as shown on Attachment F.

ATTACHMENT A

Education Code (EC) Section 17219. (a) Whenever a school district acquires or has acquired a site for school purposes, as determined by the State Allocation Board, and does not use the site within (1) five years of the date of acquisition for the kindergarten, if any, and any of grades 1 to 8, inclusive, maintained by an elementary school district or a unified school district, or, (2) seven years of the date of acquisition for any of grades 7 to 12, inclusive, maintained by a high school district or a unified school district, or if a school district has a site at any grade level that has previously been used but has not been used for school purposes within the preceding five years, the school district shall be subject to nonuse payments, unless the State Allocation Board, from time to time, makes a determination that the school district will utilize the property for the purpose for which it was intended within a reasonable period of time, in a specific amount for each additional year in which the site is retained and not used by the district beyond the foregoing specified periods, except the first additional year shall be deemed to end not earlier than April 30, 1973.

(b) Payment shall not be required under this section as to any site having a value of twenty thousand dollars ($20,000) or less. Commencing on January 1, 1988, and annually thereafter, the State Allocation Board shall increase this exemption figure by the amount of the current fiscal year inflation adjustment specified in Section 42238.1, if any.

(c) The payments required shall be computed by the Executive Officer of the State Allocation Board and certified to the Controller, and payments shall be equal to one one-hundredth (1/100) of the original purchase price of the site modified by either a factor reflecting the change in assessed value of all lands in the state from the date of purchase of the site to the current date or any other factor that in the determination of the State Allocation Board is applicable to the site under consideration.

(d) Whenever the State Allocation Board has determined that a school district in good faith has, within the preceding year, advertised the schoolsite for sale to the highest bidder pursuant to the provisions of Article 4 (commencing with Section 17455) of Chapter 4 of Part 10.5 and has received no bids that in the judgment of the State Allocation Board reflect the fair market value of the property, the Executive Officer of the State Allocation Board shall not compute any nonuse payments for the site for a period of one year beyond the date of the determination.

(e) Nonuse payments shall not be required for any year with respect to a schoolsite that for one-half or more of the number of days of that year has been utilized for any of the following purposes:

(1) By the school district, or by any other governmental entity pursuant to agreement with the school district, for school purposes, for use as a civic center, or for community playground, playing field, or other outdoor recreational purposes. "Civic center," for this purpose, means a site used for one or more of the purposes described in Section 40041.

(2) By the State Allocation Board, pursuant to agreement with the school district, for the storage of emergency portable classrooms.

(3) By the school district, or by any other public or private entity pursuant to agreement with the school district, for the operation of a child care program.

(f) Nonuse payments shall not be required for any year with respect to a schoolsite that was leased at least one-half of the days in that year in a manner that subjected the site to property taxes equal to the taxes that would have been paid if the site had been sold.

EC Section 17221. The amount of any nonuse payments required of any school district under Section 17219 shall be reduced, without regard to fiscal year, by the amount of the proceeds, resulting from the lease of district property that is subject to that section, that are expended by the district the payment of bond debt service costs that are directly related to the actual construction of school facilities.

EC Section 17222. The Controller shall, during the next fiscal year following that in which the Executive Officer of the State Allocation Board certifies to him or her the amount of payment, deduct the total amount of the payment of each district in equal amounts from each of the February, March, April and May installments of the apportionments made to the district from the State School Fund under Sections 46304, 46305, and 41050, Sections 41330 to 41343, inclusive, and Sections 41600 to 41972, inclusive, whichever are in effect. However, in no event shall the deductions exceed an amount which would result in a district's receiving, in any school year, from the State School Fund, less than one hundred twenty dollars ($120) per pupil in average daily attendance in the district during the preceding

school year. On order of the Controller, the amount so deducted shall be transferred to the State School Site Utilization Fund which is hereby created.

EC Section 17223. (a) Whenever a school district has either begun to use an unused site or has sold that site within two years of the date the Controller, pursuant to Section 17222, has deducted a certified nonuse payment from the district's State School Fund apportionment, the State Allocation Board shall certify that fact to the Controller. The Controller shall then cease to withhold any additional payments and shall return to the district from the State School Site Utilization Fund the payments, without interest, which had been withheld for the particular site during the prior fiscal year and the current fiscal year.

(b) If the school district begins to use or has sold the site more than two years after the aforesaid date, the State Allocation Board shall so certify to the Controller and no further payments shall be withheld as specified in Section 17222.

EC Section 17224. Any funds in the State School Site Utilization Fund, including interest, that are not subject to return to a school district pursuant to Section 17223 shall revert to the Deferred Maintenance Fund.

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

Fiscal Year 2015/2016					
DISTRICT					
SITE				**ASSESSED VALUE**	**ANNUAL PAYMENT**
ALAMEDA					
	75101 PLEASANTON UNIFIED				
		JOSHUA A. NEAL ELEMENTARY		$4,859,372	$48,594

			PLEASANTON UNIFIED TOTAL:		$48,594
	61309 SAN LORENZO UNIFIED				
		EL PORTAL		$2,170,502	$21,705
		LEWELLING		$7,640,098	$76,401
		MARTIN		$5,017,084	$50,171

			SAN LORENZO UNIFIED TOTAL:		$148,277

			ALAMEDA COUNTY TOTAL:		**$196,871**
BUTTE					
	61531 PARADISE UNIFIED				
		BRAKEBILL (HORACE) ELEMENTARY		$145,715	$1,457
		ROSEWOOD		$1,248,214	$12,482

			PARADISE UNIFIED TOTAL:		$13,939

			BUTTE COUNTY TOTAL:		**$13,939**
CONTRA COSTA					
	61648 ANTIOCH UNIFIED				
		CAMARA SCHL. SITE		$2,453,254	$24,533
		HILLCREST		$761,553	$7,616
		MOLLER RANCH SITE		$1,230,813	$12,308

			ANTIOCH UNIFIED TOTAL:		$44,457
	61721 LIBERTY UNION HIGH				
		M&0		$240,064	$2,401
		NEW HIGH #4		$3,818,686	$38,187

			LIBERTY UNION HIGH TOTAL:		$40,588
	61754 MT. DIABLO UNIFIED				
		ALVES RANCH (11.26 ACRES)		$1,430,358	$14,304

			MT. DIABLO UNIFIED TOTAL:		$14,304

			CONTRA COSTA COUNTY TOTAL:		**$99,349**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

DEL NORTE				
	61820 DEL NORTE COUNTY UNIFIED			
	PACIFIC SHORES		$491,979	$4,920

		DEL NORTE COUNTY UNIFIED TOTAL:		$4,920

		DEL NORTE COUNTY TOTAL:		**$4,920**
EL DORADO				
	61838 BUCKEYE UNION ELEMENTARY			
	SILVER DOVE		$535,647	$5,356

		BUCKEYE UNION ELEMENTARY TOTAL:		$5,356

		EL DORADO COUNTY TOTAL:		**$5,356**
FRESNO				
	73965 CENTRAL UNIFIED			
	SIERRA/CONSTANCE		$1,883,684	$18,837

		CENTRAL UNIFIED TOTAL:		$18,837
	62117 CLOVIS UNIFIED			
	MILLERTON NEW TOWN ELEMENTARY		$361,207	$3,612

		CLOVIS UNIFIED TOTAL:		$3,612
	62166 FRESNO UNIFIED			
	KONKEL PROJECT		$981,034	$9,810

		FRESNO UNIFIED TOTAL:		$9,810
	62265 KINGS CANYON JOINT UNIFIED			
	DISTRICT OPERATIONS-ALTA		$763,618	$7,636
	HUNTSMAN PROPERTY		$506,270	$5,063

		KINGS CANYON JOINT UNIFIED TOTAL:		$12,699
	75275 SIERRA UNIFIED			
	MILLERTON		$427,522	$4,275

		SIERRA UNIFIED TOTAL:		$4,275
	76778 WASHINGTON UNIFIED			
	NEW MIDDLE SITE 1		$490,519	$4,905

		WASHINGTON UNIFIED TOTAL:		$4,905

		FRESNO COUNTY TOTAL:		**$54,138**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

IMPERIAL				
	63073 BRAWLEY ELEMENTARY			
		PARKSIDE ESTATES	$865,880	$8,659

		BRAWLEY ELEMENTARY TOTAL:		$8,659
	63107 CALIPATRIA UNIFIED			
		CALIPATRIA HIGH - FARM	$117,725	$1,177

		CALIPATRIA UNIFIED TOTAL:		$1,177

		IMPERIAL COUNTY TOTAL:		**$9,836**
KERN				
	63321 BAKERSFIELD CITY ELEMENTARY			
		5600 MORNING DRIVE	$354,805	$3,548

		BAKERSFIELD CITY ELEMENTARY TOTAL:		$3,548
	63404 DELANO UNION ELEMENTARY			
		CNG & MOT FACILITY	$527,413	$5,274

		DELANO UNION ELEMENTARY TOTAL:		$5,274
	63438 EDISON ELEMENTARY			
		EUCALYPTUS PROPERTY	$737,817	$7,378
		EUCALYPTUS PROPERTY 2 (9.22 ACRES)	$1,252,016	$12,520

		EDISON ELEMENTARY TOTAL:		$19,898
	63552 LAKESIDE UNION			
		LAKESIDE #4	$221,540	$2,215
		LAKESIDE #5 (27 ACRES)	$614,376	$6,144

		LAKESIDE UNION TOTAL:		$8,359
	63628 MARICOPA UNIFIED			
		42-280-05	$323,170	$3,232

		MARICOPA UNIFIED TOTAL:		$3,232
	63677 MOJAVE UNIFIED			
		LOT 332	$326,534	$3,265
		RED ROCK ELEMENTARY	$855,873	$8,559

		MOJAVE UNIFIED TOTAL:		$11,824
	63578 RICHLAND UNION ELEMENTARY			
		SITE 5-KIRSCHENMANN	$54,497	$545

		RICHLAND UNION ELEMENTARY TOTAL:		$545
	73742 SIERRA SANDS UNIFIED			
		WARD & DOWNS	$219,763	$2,198

		SIERRA SANDS UNIFIED TOTAL:		$2,198

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

KERN (Cont.)				
63776 SOUTHERN KERN UNIFIED				
	SCRUGGS		$265,828	$2,658
	WILLOW SPRINGS ROAD		$155,237	$1,552

		SOUTHERN KERN UNIFIED TOTAL:		$4,210
63826 TEHACHAPI UNIFIED				
	ALPINE FOREST SITE		$135,764	$1,358
	CHERRY LANE SITE		$222,701	$2,227
	MOUNTAIN MEADOWS SITE		$195,309	$1,953
	STALLION SPRINGS SITE 2		$250,091	$2,501

		TEHACHAPI UNIFIED TOTAL:		$8,039

		KERN COUNTY TOTAL:		**$67,127**
KINGS				
73932 REEF-SUNSET UNIFIED				
	N/W TOWNSHIP (SEE FOLDER)		$58,543	$585

		REEF-SUNSET UNIFIED TOTAL:		$585

		KINGS COUNTY TOTAL:		**$585**
LOS ANGELES				
64246 ANTELOPE VALLEY UNION HIGH				
	70TH STR WEST & AVENUE 1 (77.33 ACRES)		$2,625,227	$26,252
	HIGH SCHOOL #11		$396,931	$3,969
	HIGH SCHOOL #9		$2,534,131	$25,341
	LEONA VALLEY (MESSER RANCH)		$3,566,099	$35,661

		ANTELOPE VALLEY UNION HIGH TOTAL:		$91,223
64345 CASTAIC UNION				
	APN 3270-015-900		$53,219	$532
	APN 3270-017-904		$82,764	$828
	APN 3272-034-907		$53,219	$532

		CASTAIC UNION TOTAL:		$1,892
73437 COMPTON UNIFIED				
	MARSHALL KING		$16,405,038	$164,050

		COMPTON UNIFIED TOTAL:		$164,050
64444 CULVER CITY UNIFIED				
	BETSY ROSS ELEMENTARY		$4,847,697	$48,477
	WASHINGTON ELEMENTARY		$3,823,085	$38,231

		CULVER CITY UNIFIED TOTAL:		$86,708
64568 GLENDALE UNIFIED				
	GLENDALE ADMIN BLDG 15000 SQ FT 5642-017-902		$2,241,945	$22,419

		GLENDALE UNIFIED TOTAL:		$22,419

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

LOS ANGELES (Cont.)				
	64667 LANCASTER ELEMENTARY			
	ELEMENTARY SITE #22		$3,352,906	$33,529
	MIDDLE #21		$2,346,783	$23,468
	SITE #24		$2,943,104	$29,431
	SITE 19		$250,032	$2,500

		LANCASTER ELEMENTARY TOTAL:		$88,928
	64733 LOS ANGELES UNIFIED			
	COLLINS		$6,976,314	$69,763
	HIGHLANDER EL		$5,761,584	$57,616
	LOS ANGELES ACADEMY MIDDLE		$553,297	$5,533
	OSO EL		$5,641,306	$56,413
	PLATT RANCH EL		$7,442,465	$74,425

		LOS ANGELES UNIFIED TOTAL:		$263,750
	64857 PALMDALE ELEMENTARY			
	BLACKBIRD ELEMENTARY		$1,824,724	$18,247
	FREDERICK W. STRASBURG SCHOOL		$2,948,707	$29,487

		PALMDALE ELEMENTARY TOTAL:		$47,734
	65102 WESTSIDE UNION ELEMENTARY			
	BELLVIEW		$140,638	$1,406
	L-12 & 82ND STREET WEST		$763,790	$7,638
	NEENACH ELEMENTARY		$204,863	$2,049
	TUMBLEWEED HEIGHTS		$67,247	$672

		WESTSIDE UNION ELEMENTARY TOTAL:		$11,765

		LOS ANGELES COUNTY TOTAL:		**$778,469**
MARIPOSA				
	65532 MARIPOSA COUNTY UNIFIED			
	HORNITOS		$235,509	$2,355
	YAQUI GULCH		$320,927	$3,209
	YOSEMITE WEST		$128,267	$1,283

		MARIPOSA COUNTY UNIFIED TOTAL:		$6,847

		MARIPOSA COUNTY TOTAL:		**$6,847**
MERCED				
	65631 ATWATER ELEMENTARY			
	ATWATER-JORDAN		$303,683	$3,037
	AVE ONE		$369,182	$3,692
	JUNIPER AVENUE		$74,840	$748

		ATWATER ELEMENTARY TOTAL:		$7,477
	65771 MERCED CITY ELEMENTARY			
	PAULSON ROAD SITE APN 060-730-042		$683,322	$6,833

		MERCED CITY ELEMENTARY TOTAL:		$6,833

		MERCED COUNTY TOTAL:		**$14,310**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

MONTEREY				
	66092 MONTEREY PENINSULA UNIFIED			
		MONTEREY CAL/RANCHO SAUCI	$2,080,852	$20,809
		MONTEREY CO. HIDDEN HILLS	$3,252,431	$32,524

		MONTEREY PENINSULA UNIFIED TOTAL:		$53,333
	73825 NORTH MONTEREY COUNTY UNIFIED			
		OAK HILLS SUBDIVISION	$1,646,601	$16,466

		NORTH MONTEREY COUNTY UNIFIED TOTAL:		$16,466

		MONTEREY COUNTY TOTAL:		**$69,799**
NEVADA				
	66373 PLEASANT RIDGE UNION ELEMENTARY			
		SHARON OAKS	$62,947	$629

		PLEASANT RIDGE UNION ELEMENTARY TOTAL:		$629

		NEVADA COUNTY TOTAL:		**$629**
PLACER				
	66787 AUBURN UNION ELEMENTARY			
		ATWOOD (28.3 ACRES)	$831,389	$8,314

		AUBURN UNION ELEMENTARY TOTAL:		$8,314
	66803 DRY CREEK JOINT ELEMENTARY			
		MORGAN CREEK ELEMENTARY	$1,401,732	$14,017

		DRY CREEK JOINT ELEMENTARY TOTAL:		$14,017
	66928 ROSEVILLE JOINT UNION HIGH			
		TRANSPORTATION FACILITY - INDUSTRIAL BLVD	$1,030,000	$10,300

		ROSEVILLE JOINT UNION HIGH TOTAL:		$10,300

		PLACER COUNTY TOTAL:		**$32,631**
RIVERSIDE				
	66985 BANNING UNIFIED			
		538-280-002-8	$392,200	$3,922
		OLD CABAZON ELEMENTARY	$153,041	$1,530

		BANNING UNIFIED TOTAL:		$5,452
	66993 BEAUMONT UNIFIED			
		FOURTEENTH STREET	$196,206	$1,962
		LOMA LINDA ELEMENTARY	$196,206	$1,962
		PENNSYLVANIA PROPERTY	$233,579	$2,336

		BEAUMONT UNIFIED TOTAL:		$6,260

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

RIVERSIDE (Cont.)				
	73676 COACHELLA VALLEY UNIFIED			
		FUTURE NORTH SHORE (K-8) 40 ACRES 721-110-001	$1,781,141	$17,811

		COACHELLA VALLEY UNIFIED TOTAL:		$17,811
	67033 CORONA-NORCO UNIFIED			
		RANCHO SERRANO HIGH	$4,967,266	$49,673
		ROOSEVELT ELEMENTARY	$5,332,606	$53,326

		CORONA-NORCO UNIFIED TOTAL:		$102,999
	67058 DESERT SANDS UNIFIED			
		AVE 39 ELEMENTARY (#6)	$4,209,598	$42,096
		SOUTHWEST INDIO (MADISON STREET)	$1,897,961	$18,980

		DESERT SANDS UNIFIED TOTAL:		$61,076
	67082 HEMET UNIFIED			
		GIBBEL ELEMENTARY	$357,273	$3,573

		HEMET UNIFIED TOTAL:		$3,573
	67090 JURUPA UNIFIED			
		MIDDLE #4	$258,993	$2,590
		MIDDLE #5	$2,393,725	$23,937
		MIDDLE #6	$608,242	$6,082

		JURUPA UNIFIED TOTAL:		$32,609
	75176 LAKE ELSINORE UNIFIED			
		WASSON CANYON	$126,382	$1,264

		LAKE ELSINORE UNIFIED TOTAL:		$1,264
	67124 MORENO VALLEY UNIFIED			
		WILMOT/CACTUS	$258,826	$2,588

		MORENO VALLEY UNIFIED TOTAL:		$2,588
	67173 PALM SPRINGS UNIFIED			
		KAREN STREET SCHOOL	$282,663	$2,827
		PALM DESSERT SCHOOL SITE	$3,295,724	$32,957

		PALM SPRINGS UNIFIED TOTAL:		$35,784
	67231 ROMOLAND ELEMENTARY			
		MONUMENT RANCH	$4,877,233	$48,772

		ROMOLAND ELEMENTARY TOTAL:		$48,772
	67249 SAN JACINTO UNIFIED			
		MEGAN COPE ELEMENTARY	$322,240	$3,222
		WARREN COVE K-8	$1,268,820	$12,688

		SAN JACINTO UNIFIED TOTAL:		$15,910
	75192 TEMECULA VALLEY UNIFIED			
		MIDDLE SCHOOL #8 (WINCHESTER 1800)	$4,219,608	$42,196

		TEMECULA VALLEY UNIFIED TOTAL:		$42,196

		RIVERSIDE COUNTY TOTAL:		**$376,294**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

SACRAMENTO				
67314 ELK GROVE UNIFIED				
	APN 121-0110-002		$328,254	$3,283

		ELK GROVE UNIFIED TOTAL:		$3,283
67348 GALT JOINT UNION ELEMENTARY				
	JEFF JENNINGS		$1,540,452	$15,405

		GALT JOINT UNION ELEMENTARY TOTAL:		$15,405
67355 GALT JOINT UNION HIGH				
	SOUSA SITE		$2,753,159	$27,532

		GALT JOINT UNION HIGH TOTAL:		$27,532
75283 NATOMAS UNIFIED				
	NORTHPOINTE MIDDLE		$4,539,859	$45,399
	WESTLAKESIDE SITE		$806,723	$8,067

		NATOMAS UNIFIED TOTAL:		$53,466
67421 ROBLA ELEMENTARY				
	NORWOOD SITE		$1,991,868	$19,919

		ROBLA ELEMENTARY TOTAL:		$19,919
76505 TWIN RIVERS UNIFIED				
	1690 BELL AVE		$857,455	$8,575
	1710 ASCOT AVENUE		$2,309,412	$23,094
	EAST NATOMAS EDUCATIONAL COMPLEX 34 ACRES		$7,426,362	$74,264
	EAST NATOMAS EDUCATIONAL COMPLEX 35ACRES		$7,565,701	$75,657
	EAST NATOMAS EDUCATIONAL COMPLEX 7.5 ACRES		$3,663,940	$36,639
	EAST NATOMAS EDUCATIONAL COMPLEX 7.7 ACRE		$7,164,952	$71,650
	MEISTER		$1,817,819	$18,178
	SITE E		$515,100	$5,151
	SITE F		$269,091	$2,691
	TERRACE PARK ELEMENTARY		$4,825,518	$48,255

		TWIN RIVERS UNIFIED TOTAL:		$364,154

		SACRAMENTO COUNTY TOTAL:		**$483,759**
SAN BENITO				
67538 SAN BENITO HIGH				
	SAN BENITO HIGH (BEST)		$2,294,301	$22,943

		SAN BENITO HIGH TOTAL:		$22,943

		SAN BENITO COUNTY TOTAL:		**$22,943**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

SAN BERNARDINO				
67587 ADELANTO ELEMENTARY				
	NEW ELEMENTARY NO. 2 - EL MIRAGE		$348,817	$3,488
	New Elementary Site #24		$810,859	$8,109
	PALMER & EL MIRAGE		$173,206	$1,732
	SITE 27 (K-6) 15 ARCES 3103-581-14, 15		$1,571,843	$15,718

		ADELANTO ELEMENTARY TOTAL:		$29,047
75077 APPLE VALLEY UNIFIED				
	APN: 441-041-35		$88,859	$889
	RANCHERIAS SITE		$1,103,286	$11,033

		APPLE VALLEY UNIFIED TOTAL:		$11,922
67611 BARSTOW UNIFIED				
	SCHOOL FARM		$337,586	$3,376

		BARSTOW UNIFIED TOTAL:		$3,376
67652 CHAFFEY JOINT UNION HIGH				
	HIGH SCHOOL #9 (SAN SEVAINE FONTANA)		$7,228,942	$72,289

		CHAFFEY JOINT UNION HIGH TOTAL:		$72,289
67686 COLTON JOINT UNIFIED				
	VALLEY BLVD & CACTUS AVE		$1,714,066	$17,141

		COLTON JOINT UNIFIED TOTAL:		$17,141
67710 FONTANA UNIFIED				
	BIRCH CONTINUATION HIGH EXPANSION		$347,337	$3,473
	CONTINUATION HIGH #1		$3,100,993	$31,010

		FONTANA UNIFIED TOTAL:		$34,483
75044 HESPERIA UNIFIED				
	CEDAR GLEN 14.77 ACRES		$450,000	$4,500
	EL CENTRO 13.49 ACRES		$355,000	$3,550

		HESPERIA UNIFIED TOTAL:		$8,050
67777 MORONGO UNIFIED				
	2 MILE ROAD/ENCELIA		$68,258	$683

		MORONGO UNIFIED TOTAL:		$683
67801 NEEDLES UNIFIED				
	AMBOY ELEMENTARY		$61,144	$611
	ESSEX ELEMENTARY		$98,105	$981

		NEEDLES UNIFIED TOTAL:		$1,592
67868 RIM OF THE WORLD UNIFIED				
	CRESTLINE ELEMENTARY		$243,800	$2,438

		RIM OF THE WORLD UNIFIED TOTAL:		$2,438
67876 SAN BERNARDINO CITY UNIFIED				
	HIGHLAND-CYPRESS II		$113,420	$1,134

		SAN BERNARDINO CITY UNIFIED TOTAL:		$1,134
10363 SAN BERNARDINO COUNTY OFFICE OF EDUCATION				
	Adelanto Early Education Center		$109,120	$1,091
	APPLE VALLEY COUNTY HIGH		$1,054,825	$10,548
	BEAR VALLEY COMMUNITY DAY		$406,169	$4,062
	HESPREIA EARLY ED CENTER		$606,220	$6,062
	VICTORVILLE CENTRAL COMMUNITY		$261,887	$2,619
	yucca valley cds		$1,073,876	$10,739

		SAN BERNARDINO COUNTY OFFICE OF EDUCATION T		$35,121

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

SAN BERNARDINO (Cont.)				
73957 SNOWLINE JOINT UNIFIED				
	PROPERTY ON CAUGHLIN ROAD		$153,117	$1,531
	PROPERTY ON GOSS ROAD		$115,462	$1,155
	PROPERTY ON LA MESA (APN 03, 04, 05, 06)		$125,329	$1,253
	PROPERTY ON LUNA & BELLFLOWER		$163,325	$1,633
	PROPERTY ON WHITE ROAD		$588,621	$5,886

		SNOWLINE JOINT UNIFIED TOTAL:		$11,458
67918 VICTOR ELEMENTARY				
	ADDITIONAL LAND - GTE		$86,603	$866
	ADDITIONAL LAND - IR/AC		$67,896	$679
	LOCUST PROPERTY		$5,135,728	$51,357
	MOJAVE VISTAS ELEMENTARY		$929,538	$9,295
	SANDSTONE		$148,381	$1,484

		VICTOR ELEMENTARY TOTAL:		$63,681

		SAN BERNARDINO COUNTY TOTAL:		**$292,415**
SAN DIEGO				
67983 BORREGO SPRINGS UNIFIED				
	198-270-13		$63,600	$636

		BORREGO SPRINGS UNIFIED TOTAL:		$636
68296 POWAY UNIFIED				
	SANTA FE VALLEY ELEMENTARY SITE		$2,999,613	$29,996

		POWAY UNIFIED TOTAL:		$29,996
68338 SAN DIEGO UNIFIED				
	CAMP ELLIOTT 2-JR.HIGH		$6,576,062	$65,761
	SERRA ELEM.		$69,472	$695

		SAN DIEGO UNIFIED TOTAL:		$66,456
68361 SANTEE ELEMENTARY				
	ELLIOTT #2		$145,752	$1,458
	SUMMIT SITE		$2,953,088	$29,531

		SANTEE ELEMENTARY TOTAL:		$30,989
68411 SWEETWATER UNION HIGH				
	HUNTE		$32,938,710	$329,387
	WINDMILL FARMS SITE		$3,277,566	$32,776

		SWEETWATER UNION HIGH TOTAL:		$362,163
75614 VALLEY CENTER-PAUMA				
	NON-ROAD APN 188-141-21		$1,284,264	$12,843

		VALLEY CENTER-PAUMA TOTAL:		$12,843

		SAN DIEGO COUNTY TOTAL:		**$503,083**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

SAN FRANCISCO				
68478 SAN FRANCISCO UNIFIED				
	1440 HARRISON SITE		$1,901,564	$19,016
	5TH & MARKET		$4,724,276	$47,243
	SEVENTH AND LAWTON SITE		$414,699	$4,147
	SIR FRANCIS DRAKE ANNEX		$1,762,214	$17,622

		SAN FRANCISCO UNIFIED TOTAL:		$88,028

		SAN FRANCISCO COUNTY TOTAL:		**$88,028**
SAN JOAQUIN				
68585 LODI UNIFIED				
	BRIGHT BEAR CREEK WEST STOCKTON		$2,774,349	$27,743
	GANTNER ELEMENTARY		$4,156,943	$41,569
	PANOUSSI MIDDLE SCHOOL SITE		$5,910,653	$59,107

		LODI UNIFIED TOTAL:		$128,419
68676 STOCKTON UNIFIED				
	CARPENTER ROAD/HERNANDEZ ELEMENTARY		$332,772	$3,328

		STOCKTON UNIFIED TOTAL:		$3,328

		SAN JOAQUIN COUNTY TOTAL:		**$131,747**
SAN LUIS OBISPO				
68759 LUCIA MAR UNIFIED				
	ROSEMARY CRAIG MIDDLE		$2,943,104	$29,431

		LUCIA MAR UNIFIED TOTAL:		$29,431
75457 PASO ROBLES JOINT UNIFIED				
	MARGARET GATES SCHOOL		$2,378,909	$23,789

		PASO ROBLES JOINT UNIFIED TOTAL:		$23,789
10405 SAN LUIS OBISPO COUNTY OFFICE OF EDUCATION				
	SPRING ST. COMMUNITY SCHOOL		$714,546	$7,145

		SAN LUIS OBISPO COUNTY OFFICE OF EDUCATION T(		$7,145

		SAN LUIS OBISPO COUNTY TOTAL:		**$60,365**
SAN MATEO				
68858 BAYSHORE ELEMENTARY				
	MIDWAY		$521,063	$5,211

		BAYSHORE ELEMENTARY TOTAL:		$5,211
69013 SAN BRUNO PARK ELEMENTARY				
	ENGVALL SCHOOL		$650,546	$6,505

		SAN BRUNO PARK ELEMENTARY TOTAL:		$6,505

		SAN MATEO COUNTY TOTAL:		**$11,716**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

SANTA BARBARA				
	69229 LOMPOC UNIFIED			
	ARTESIA		$833,697	$8,337

		LOMPOC UNIFIED TOTAL:		$8,337

		SANTA BARBARA COUNTY TOTAL:		**$8,337**
SANTA CLARA				
	69666 SAN JOSE UNIFIED			
	CAGLIA UNDEVELOPED SITE		$4,960,141	$49,601

		SAN JOSE UNIFIED TOTAL:		$49,601

		SANTA CLARA COUNTY TOTAL:		**$49,601**
SHASTA				
	75267 GATEWAY UNIFIED			
	BLM 1230027		$327,657	$3,277
	BLM 1230096		$156,027	$1,560
	LAKE & SHASTA DAM BLVD.		$60,141	$601
	LAKE BLVD. & TAMARACK		$300,705	$3,007

		GATEWAY UNIFIED TOTAL:		$8,445
	70094 PACHECO UNION ELEMENTARY			
	NORTH RANCHO - APN:054-090-36		$671,903	$6,719

		PACHECO UNION ELEMENTARY TOTAL:		$6,719

		SHASTA COUNTY TOTAL:		**$15,164**
SOLANO				
	70581 VALLEJO CITY UNIFIED			
	GRANT SCHOOL ANNEX		$0	$0

		VALLEJO CITY UNIFIED TOTAL:		$0

		SOLANO COUNTY TOTAL:		**$0**
STANISLAUS				
	75564 OAKDALE JOINT UNIFIED			
	BRIDLE RIDGE		$692,823	$6,928

		OAKDALE JOINT UNIFIED TOTAL:		$6,928
	71217 PATTERSON JOINT UNIFIED			
	NEW ELEMENTARY SCHOOL		$347,099	$3,471

		PATTERSON JOINT UNIFIED TOTAL:		$3,471
	71290 SYLVAN UNION ELEMENTARY			
	ELEMENTARY SCHOOL SITE #12		$2,746,938	$27,469

		SYLVAN UNION ELEMENTARY TOTAL:		$27,469

		STANISLAUS COUNTY TOTAL:		**$37,868**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

SUTTER				
	71464 YUBA CITY UNIFIED			
	GROVE/BOGUE ROADS		$2,458,177	$24,582
	SHANGHAI BEND RD & PEORIA DR		$181,866	$1,819

		YUBA CITY UNIFIED TOTAL:		$26,401

		SUTTER COUNTY TOTAL:		**$26,401**
TULARE				
	75531 DINUBA UNIFIED			
	CRAWFORD SITE		$1,463,571	$14,636
	INTERMEDIATE SITE 1 (9064 E. SIERRA WAY)		$1,708,965	$17,090
	INTERMEDIATE SITE 2 (9034 E. SIERRA WAY)		$421,468	$4,215
	RD. 68		$500,274	$5,003

		DINUBA UNIFIED TOTAL:		$40,944
	75325 FARMERSVILLE UNIFIED			
	FUTURE MIDDLE 053		$159,725	$1,597
	FUTURE MIDDLE 054		$67,896	$679
	FUTURE MIDDLE 055		$156,267	$1,563
	FUTURE MIDDLE 056		$156,267	$1,563
	FUTURE MIDDLE 057		$149,686	$1,497
	FUTURE MIDDLE 058		$106,442	$1,064
	FUTURE MIDDLE 059		$67,896	$679
	FUTURE MIDDLE 060		$67,896	$679
	FUTURE MIDDLE 061		$67,896	$679

		FARMERSVILLE UNIFIED TOTAL:		$10,000
	71944 HOPE ELEMENTARY			
	ORANGE GROVE SITE		$203,690	$2,037

		HOPE ELEMENTARY TOTAL:		$2,037
	75523 PORTERVILLE UNIFIED			
	K-8 GRAMMAR SCHOOL		$1,212,442	$12,124

		PORTERVILLE UNIFIED TOTAL:		$12,124
	72090 ROCKFORD ELEMENTARY			
	ROCKFORD SCHOOL		$585,013	$5,850
	ROCKFORD SCHOOL 8 ACRES		$158,788	$1,588

		ROCKFORD ELEMENTARY TOTAL:		$7,438
	72256 VISALIA UNIFIED			
	HOUSTON/ROAD 152		$420,269	$4,203
	LOVERS LANE		$353,591	$3,536
	LOVERS LANE/MILL CREEK		$1,016,086	$10,161
	PINKHAM ROAD/'K' ROAD		$848,978	$8,490

		VISALIA UNIFIED TOTAL:		$26,390

		TULARE COUNTY TOTAL:		**$98,933**
TUOLUMNE				
	72348 COLUMBIA UNION ELEMENTARY			
	MIDDLE SCHOOL SITE (UNNAMED)		$737,450	$7,375

		COLUMBIA UNION ELEMENTARY TOTAL:		$7,375

		TUOLUMNE COUNTY TOTAL:		**$7,375**

ATTACHMENT B

SCHOOL SITE PAYMENTS
FISCAL YEAR 2015/2016

VENTURA					
	72652 VENTURA UNIFIED				
		FRASER RANCH		$1,124,856	$11,249
		JEWETT SITE		$693,980	$6,940
		SUDDEN ESTATE		$635,088	$6,351

			VENTURA UNIFIED TOTAL:		$24,540

			VENTURA COUNTY TOTAL:		**$24,540**
YOLO					
	72686 ESPARTO UNIFIED				
		PARKER ATHLETIC FIELD		$177,752	$1,778

			ESPARTO UNIFIED TOTAL:		$1,778
	72694 WASHINGTON UNIFIED				
		LINDEN ACRES		$2,440,010	$24,400

			WASHINGTON UNIFIED TOTAL:		$24,400
	72702 WINTERS JOINT UNIFIED				
		WOLFSKILL HIGH		$63,310	$633

			WINTERS JOINT UNIFIED TOTAL:		$633
	72710 WOODLAND JOINT UNIFIED				
		WILLOW SPRING ELEMENTARY		$2,405,638	$24,056

			WOODLAND JOINT UNIFIED TOTAL:		$24,056

			YOLO COUNTY TOTAL:		**$50,867**
YUBA					
	72736 MARYSVILLE JOINT UNIFIED				
		MEADOWS		$5,196,178	$51,962
		OLD DOBBINS SCHOOL		$202,550	$2,026
		OREGON HOUSE SCHOOL SITE		$219,849	$2,198
		W. T. ELLIS CONTINUATION HIGH		$72,375	$724

			MARYSVILLE JOINT UNIFIED TOTAL:		$56,910

			YUBA COUNTY TOTAL:		**$56,910**

			GRAND TOTAL		**$3,701,152**

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Fee Waived - Reason
ALAMEDA			
	61242	New Haven Unified	
		Barnard White Middle School	Community Use
ALPINE			
	61333	Alpine County Unified	
		Bear Valley	Basic Aid
AMADOR			
	73981	Amador County Unified	
		Drytown	Community Use
		Shenandoah	Community Use
		Willow Springs	Community Use
BUTTE			
	61424	Chico Unified	
		Canyon View High	Community Use
		Henshaw	Community Use
	75507	Gridley Unified	
		Randolph Property	Community Use
CALAVERAS			
	61564	Calaveras Unified	
		Sheep Ranch	Below Minimum
	61580	Vallecito Union Elementary	
		Sanders Lane	Community Use
CONTRA COSTA			
	61655	Brentwood Union	
		Fourth Middle School	Will be used within 2 years
	61762	Oakley Union Elementary	
		Summerlake	Will be used within 2 years
		Zocchi/Marsh Middle School	Will be used within 2 years
	61788	Pittsburg Unified	
		Harbor Street	Attempted to sell
HUMBOLDT			
	62679	Arcata Elementary	
		Westwood Site	Leased to Tenant
IMPERIAL			
	63214	San Pasqual Valley Unified	
		Ogilby	Below Minimum
INYO			
	63289	Lone Pine Unified	
		Olancha	Community Use
KERN			
	63412	Delano Joint Union High	
		M.D.B. & M Site	Leased to Tenant
	63594	Lost Hills Union Elementary	
		Section 3	Below Minimum
	63693	Norris	
		Unnamed Elementary #6 (Partial)	Leased to Tenant
	63792	Standard Elementary	
		New Site	Leased to Tenant
	63859	Wasco Union High	
		Unused Site (77 Acres)	Community Use

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Fee Waived - Reason
KINGS			
	63875	Armona Union Elementary	
		Neves Donation	Community Use
LAKE			
	64022	Konocti Unified	
		Lakeshore Village	Child Care Program
	64030	Lakeport Unified	
		Natural High	Community Use
LASSEN			
	64089	Big Valley Joint Unified	
		Big Valley Primary	Community Use
LOS ANGELES			
	64378	Charter Oak Unified	
		Palm View School	Community Use
		Ruddock School	Community Use
	64477	Eastside Union	
		Grange Property	Below Minimum
	64600	Hermosa Beach City Elementary	
		North School	Child Care Program
	64642	Keppel Union Elementary	
		California City	Below Minimum
	64659	La Canada Unified	
		Foothill Intermediate School	Leased to Tenant
		Oak Grove	Leased to Tenant
	64717	Little Lake City Elementary	
		Gettysburg (District Office)	Leased to Tenant
	64733	Los Angeles Unified	
		Harrison Street	Below Minimum
		Ela Star #1	Below Minimum
	64766	Lowell Joint Elementary	
		Maybrook	Child Care Program
		Starbuck	Community Use
	75333	Manhattan Beach Unified	
		Polliwog Pond	Community Use
	64840	Norwalk-La Mirada Unified	
		Hoxie	Leased to Tenant
		Kling	Community Use
		Rancho	Community Use
	64865	Palos Verdes Peninsula Unified	
		Campo Verde	Community Use
		Portugese Bend	Community Use
	64881	Pasadena Unified	
		Linda Vista	Below Minimum
	75341	Redondo Beach Unified	
		Fulton	Leased to Tenant
		Patterson	Leased to Tenant
	64980	Santa Monica-Malibu Unified	
		9th and Colorado	Leased to Tenant
		Guest Quarters - A	Leased to Tenant
		Guest Quarters - B	Leased to Tenant
		Malibu Canyon Road	Community Use

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Fee Waived - Reason
LOS ANGELES (Cont.)			
	65029	South Pasadena Unified	
		Oneonta	Leased to Tenant
MARIN			
	65318	Dixie Elementary	
		Don Timoteo	Community Use
		Lucas Valley	Child Care Program
		Santa Margarita	Child Care Program
	65367	Larkspur Elementary	
		Larkspur Corte Madera School	Basic Aid
	65391	Mill Valley Elementary	
		Alto	Leased to Tenant
		Homestead	Leased to Tenant
	75002	Ross Valley	
		Deer Park	Community Use
		Red Hill Intermediate	Community Use
	65458	San Rafael City Elementary	
		Gallinas	Child Care Program
		John MacPhail	Community Use
	65482	Tamalpais Union High	
		San Geronimo	Basic Aid
		Bolinas Site	Basic Aid
MENDOCINO			
	65557	Arena Union Elementary	
		Bower	Basic Aid
		Halliday	Basic Aid
		Oakridge	Basic Aid
	65581	Mendocino Unified	
		Old Grammar School Rec Center Site	Community Use
MONO			
	73692	Mammoth Unified	
		Hilton Creek	Community Use
MONTEREY			
	65987	Carmel Unified	
		Holt Site	Basic Aid
	66183	San Lucas Union Elementary	
		Lot 2	Below Minimum
		Lots 3 & 4	Below Minimum
		Lots 13 & 15	Below Minimum
NEVADA			
	66340	Nevada City	
		Nevada City Charter	Basic Aid
	66415	Twin Ridges Elementary	
		Malakoff Elementary	Basic Aid

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Fee Waived - Reason
ORANGE			
	66480	Cypress Elementary	
		Damron School	Community Use
	66530	Huntington Beach City Elementary	
		Kettler (Wiliam E.)	Community Use
	73650	Irvine Unified	
		El Camino	Community Use
	66613	Ocean View Elementary	
		Crest View	Leased to Tenant
		Glen View	Child Care Program
		Haven View	Community Use
		Meadow View	Child Care Program
		Park View	Community Use
		Rancho View	Leased to Tenant
		Robinwood	Community Use
	66621	Orange Unified	
		Peralta	Community Use
		Walnut	Attempted to sell
	66670	Santa Ana Unified	
		McKinley	Community Use
PLACER			
	66761	Ackerman Elementary	
		Bowman	Community Use
	66837	Foresthill Union Elementary	
		Foresthill School Site #3	Community Use
	66886	Placer Hills Union Elementary	
		Placer Hills	Community Use
	66944	Tahoe-Truckee Unified	
		Kingswood Estate	Basic Aid
PLUMAS			
	66969	Plumas Unified	
		Wolf Creek Middle	Below Minimum
RIVERSIDE			
	67058	Desert Sands Unified	
		Elementary #7	Will be used within 2 years.
	75176	Lake Elsinore Unified	
		Jean Hayman	Attempted to sell
	67173	Palm Springs Unified	
		Section 14 (Partial)	Community Use
SAN BERNARDINO			
	73858	Baker Valey Unified	
		Mountain Pass	Basic Aid
	67710	Fontana Unified	
		Elementary #33	Will be used within 2 years
		Middle School #10	Will be used within 2 years
	10363	San Bernardino County Superintendent of Schools	
		Redlands Community School	Attempted to sell
		Chino Hills Early Education Center	Attempted to sell
		Highland Community School	Attempted to sell
	73957	Snowline Joint Unified	
		Property on Bellflower & Luna	Below Minimum
		Property on Duncan Road	Leased to Tenant
		Property on Monte Vista & Nyack	Below Minimum

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Fee Waived - Reason
SAN BERNARDINO (Cont.)			
	67918	Victor Elementary	
		8th Street Lot	Below Minimum
		Additional Land - M&O	Below Minimum
SAN DIEGO			
	67983	Borrego Springs Unified	
		Ocotillo Wells	Below Minimum
	67991	Cajon Valley Union Elementary	
		Chase/Jamacha	Leased to Tenant
	68031	Coronado Unified	
		Glorietta Bay Property	Leased to Tenant
	68049	Dehesa	
		Land Locked Razooky Property	Attempted to sell
	68312	Rancho Santa Fe Elementary	
		17017 Mimosa RSF	Basic Aid
	68338	San Diego Unified	
		Bay Terraces #6	Child Care
		Camp Elliott No. 3	Community Use
		Decatur	Leased to Tenant
		Grantville	Leased to Tenant
		Marcy	Leased to Tenant
		Scripps	Leased to Tenant
	68361	Santee Elementary	
		Santee	Community Use
SAN JOAQUIN			
	68593	Manteca Unified	
		Ethel Allen	Community Use
		Rustic	Community Use
		South Manteca High	Community Use
SAN LUIS OBISPO			
	68759	Lucia Mar Unified	
		Hidden Oaks	Community Use
	68809	San Luis Costal Unified	
		Avila School	Basic Aid
		East Santa Fe School	Basic Aid
		Morro - 1130 Napa Avenue	Basic Aid
		Sunnyside - 880 Manzanita Drive	Basic Aid
SAN MATEO			
	68924	Jefferson Union High	
		Serramonte High	Leased to Tenant
	68957	Las Lomitas Elementary	
		Ladera	Leased to Tenant
		La Loma	Leased to Tenant
	68973	Millbrae School District	
		Glen Oaks	Child Care Program
	69070	South San Francisco Unified	
		Serra Vista Elementary	Basic Aid

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Fee Waived - Reason
SANTA BARBARA			
	69146	Carpinteria Unified	
		Bailard Avenue Parcel	Basic Aid
		Whitney Property	Basic Aid
	75010	Cuyama Joint Unified	
		4753 Cebrian St.	Leased to Tenant
		4825 Cebrian St.	Leased to Tenant
		4814 Morales St.	Leased to Tenant
		4825 Morales St.	Leased to Tenant
		4831 Morales St.	Leased to Tenant
		4832 Sisquoc St.	Leased to Tenant
	69195	Goleta Union Elementary	
		El Rancho	Child Care Program
	76786	Santa Barbara Unified	
		Happy Canyon	Community Use
		Hidden Valley	Community Use
		Tatum Property	Community Use
	69344	Vista Del Mar Union Elementary	
		Adjoining Vista Del Mar	Basic Aid
SANTA CLARA			
	69377	Berryessa Union Elementary	
		Birchwood	Leased to Tenant
		Mabury	Community Use
	69385	Cambrian	
		Metzler	Leased to Tenant
	69393	Campbell Union Elementary	
		Dover	Leased to Tenant
		Hamilton	Leased to Tenant
		Hazelwood	Leased to Tenant
	69419	Cupertino Union	
		D. W. Luther	Leased to Tenant
		Junipero Serra	Leased to Tenant
	69468	Fremont Union High	
		Sunnyvale High	Basic Aid
	69518	Los Altos Elementary	
		Eastbrook	Leased to Tenant
	69534	Los Gatos-Saratoga Joint Union High	
		809 University Avenue	Basic Aid
	73387	Milpitas Unified	
		Murphy	Leased to Tenant
		Topham	Leased to Tenant
	69575	Moreland Elementary	
		Amber Drive	Leased to Tenant
		Coventry	Leased to Tenant
		Eastrebrook	Leased to Tenant
		Phelan	Leased to Tenant
		Strawberry Park	Leased to Tenant
	69591	Mountain View-Whisman Elementary	
		O. J. Cooper	Community Use
		Whisman	Community Use
	69625	Oak Grove Elementary	
		Blossom Valley	Leased to Tenant
		Dickinson	Leased to Tenant
		San Anselmo	Leased to Tenant

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY				
	CDS #	District		
			Site	Fee Waived - Reason
SANTA CLARA (Cont.)				
	69641	Palo Alto Unified		
			Cubberley High	Basic Aid
			Fremont Hills	Basic Aid
			Garland	Basic Aid
	69666	San Jose Unified		
			Hacienda	Leased to Tenant
			Henderson	Leased to Tenant
	69674	Santa Clara Unified		
			L C Curtis Intermediate	Basic Aid
			Monticello	Basic Aid
			Patrick Henry Intermediate	Basic Aid
	69690	Sunnyvale Elementary		
			Adair Elementary	Leased to Tenant
			Bayside	Leased to Tenant
			De Anza	Leased to Tenant
			Hollenbeck	Leased to Tenant
	69708	Union Elementary		
			Athenour School	Leased to Tenant
			Cinnabar School	Leased to Tenant
			DeVoss School	Leased to Tenant
			Howes School	Leased to Tenant
			Lone Hill School	Leased to Tenant
			Mirassou School	Leased to Tenant
			Ross School	Leased to Tenant
SISKIYOU				
	70292	Forks of Salmon Elementary		
			Old Sch. On Forest Serv.	Below Minimum
SOLANO				
	70524	Benicia Unified		
			Mills	Community Use
SONOMA				
	73882	Cotati-Rohnert Park Unified		
			Sequoia & Hayes Lot	Community Use
	70912	Santa Rosa Elementary		
			Fir Ridge	No Clear Title
	71035	Wright Elementary		
			New Elementary	Community Use

ATTACHMENT C

WAIVERS OF ASSESSMENT OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Fee Waived - Reason
STANISLAUS			
	71100	Hickman Elementary	
		Expansion Site	Community Use
	75564	Oakdale Joint Unified	
		Ackley Circle	Community Use
		Brady Property	Community Use
	71266	Salida Union Elementary	
		River Ranch Educational Park	Community Use
SUTTER			
	71357	Brittan Elementary	
		Brittan	Community Use
TEHAMA			
	71472	Antelope Elementary	
		Berrendos Middle School	Community Use
	71522	Evergreen Union Elementary	
		Bowman Road & Hooker Creek Road	Community Use
TRINITY			
	73833	Southern Trinity Joint Unified	
		Unnamed Site	Below Minimum
TULARE			
	72132	Springville Union Elementary	
		Springville	Community Use
TUOLUMNE			
	72355	Curtis Creek Elementary	
		Parcel #43-162-02	Below Minimum
	72389	Sonora Union High	
		East Sonora	Community Use
VENTURA			
	73759	Conejo Valley Unified	
		Canada Site	Community Use
		Capitan Site	Community Use
		Triunfo	Leased to Tenant
	72603	Simi Valley Unified	
		Arcane	Leased to Tenant
		Belwood	Leased to Tenant
		Walnut Grove	Leased to Tenant
YOLO			
	72678	Davis Joint Unified	
		Wildhorse	Community Use

ATTACHMENT D

REDUCTION OF FEES FOR UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY				
	CDS #	District		
			Site	Reduce Fee - Reason
FRESNO				
	75408	Riverdale Joint Unified		Debt Service
			32 Acres	

ATTACHMENT E

ADDED UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY			
	CDS #	District	
		Site	Add Site - Reason
EL DORADO			
	61978	Rescue Union Elementary	
		Sienna Ridge Property	Newly Acquired - December 2015
KERN			
	63560	Lamont Elementary	
		Elementary School (Land only)	Newly Acquired - April 2015
	63842	Wasco Union Elementary	
		New School	Newly Acquired - February 2016
LASSEN			
	10181	Lassen County Office of Education	
		Lassen County Community School	Not Previously Reported
LOS ANGELES			
	64857	Palmdale Elementary	
		Juniper Intermediate	Not Previously Reported
MADERA			
	65243	Madera Unified	
		Virginia Lee Rose	Newly Acquired - February 2015
MARIPOSA			
	65532	Mariposa County Unified	
		Coulterville High	No Longer Qualifies as a Used Site
ORANGE			
	66431	Anaheim Union High	
		Anaheim High	Newly Acquired - January 2016
	66746	Westminster Elementary	
		James W. Franklin	No Longer Qualifies as a Used Site
PLUMAS			
	66969	Plumas Unified	
		Feather River Middle	No Longer Qualifies as a Used Site
		Taylorsville	No Longer Qualifies as a Used Site
RIVERSIDE			
	66985	Banning Unified	
		778 W. Westward Ave.	Newly Acquired - May 2015
	66993	Beaumont Unified	
		Chavez Elementary	Not Previously Reported
	67215	Riverside Unified	
		Gless Ranch Property	Newly Acquired - June 2015
		Victoria/Central Property	Newly Acquired - August 2015
SAN DIEGO			
	68189	Lakeside Union Elementary	
		12019 Lakeside Avenue	Newly Acquired - May 2015
	68338	San Diego Unified	
		River Bank Plaza	Newly Acquired - June 2014

ATTACHMENT E

ADDED UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY				
	CDS #	District		
			Site	Add Site - Reason
SAN DIEGO (Cont.)				
	68379	San Ysidro Elementary		
			Beyer	No Longer Qualifies
TULARE				
	72231	Tulare City Elementary		
			Cottonwood Property	Newly Acquired - August 2015
	72249	Tulare Joint Unioin High		
			Pixley Property	Not Previously Reported
VENTURA				
	76828	Santa Paula Unified		
			31 Palm Court	Newly Acquired - November 2015
			42 Palm Court	Not Previously Reported
			1208 Grantline Farm	Not Previously Reported

ATTACHMENT F

DELETED UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY	District		
CDS#	Site	Delete Site - Reason	
ALAMEDA			
61242	New Haven Unified		
	Cabello	Sold - January 2015	
CONTRA COSTA			
61705	Knightsen Elementary		
	Old River	Used for School Purposes - July 2016	
61812	Walnut Creek Elementary		
	Parkmead	Used for School Purposes - July 2015	
FRESNO			
62265	Kings Canyon Joint Unified		
	Corrin/Southwick	Used for School Purposes - July 2014	
	Milestone	Used for School Purposes - July 2014	
	Miramonte	Used for School Purposes - January 2014	
LASSEN			
64139	Lassen Union High		
	Credence	Used for School Purposes - August 2016	
LOS ANGELES			
64378	Charter Oak Unified		
	Banna	Sold - March 2016	
64519	El Monte Union High		
	4422 Bannister	Sold - December 2015	
	3617 Cypress Blvd.	Sold - June 2016	
64527	El Rancho Unified		
	Selby Grove	Used for School Purposes - June 2016	
64857	Palmdale School District		
	David G. Millen Intermediate	Used for School Purposes - August 2015	
MARIPOSA			
65532	Mariposa County Unified		
	Coulterville Greeley	Used for School Purposes - August 2015	
MONTEREY			
66142	Salinas City Elementary		
	Boronda	Used for School Purposes - August 2015	
66159	Salinas Union High		
	Rogge Road	Construction of School Facilities - March 2016	
ORANGE			
66480	Cypress Elementary		
	Mackay	Sold - April 2015	
	Dickerson	Sold - July 2015	
PLACER			
66803	Dry Creek Joint Elementary		
	District Office Site	Sold - June 2016	
PLUMAS			
66969	Plumas Unified		
	Plumas County Community School	Used for School Purposes - September 2014	
SACRAMENTO			
67314	Elk Grove Unified		
	Anatolia 2	Construction of School Facilities - April 2016	
	Laguna Ridge North	Construction of School Facilities - June 2016	

ATTACHMENT F

DELETED UNUSED SCHOOL SITES
2015/2016 FISCAL YEAR

COUNTY	District		
CDS#		Site	Delete Site - Reason
75283	Natomas Unified		
		Natomas Crossing	Construction of School Facilities - September 2015
		Northborough II	Construction of School Facilities -May 2016
SAN BERNARDINO			
67686	Colton Joint Unified		
		Cedar & Santa Ana	Used for School Purposes - June 2016
		Cedar & Santa Ana Site 2	Used for School Purposes - June 2016
67702	Etiwanda Elementary		
		Falcon Ridge	Construction of School Facilities - November 2015
67868	Rim of the World Unified		
		Mary Tone	Sold - May 2016
10363	San Bernardino County Office of Education		
		Apple Valley EEC	Sold - September 2015
		Phelan Young Adult Center	Sold - June 2005
		Yucaipa EEC	Sold - March 2016
SAN DIEGO			
68338	San Diego Unified		
		Benchley	Sold - November 2015
SAN JOAQUIN			
68569	Lincoln Unified		
		Harrisburg	Used for School Purposes - November 2015
SANTA CLARA			
69674	Santa Clara Unified		
		Central Park	Used for School Purposes - August 2016
SANTA CRUZ			
10447	Santa Cruz County Office of Education		
		Green Valley Community School	Construction of School Facilities - November 2014
TULARE			
72132	Springville Union Elementary		
		New Elementary	Used for School Purposes - November 2015
72256	Visalia Unified		
		Akers/Riggin Property	Construction of School Facilities - October 2014
		Polly Property 1	Sold - April 2014
		Shannon Parkway #3	Construction of School Facilities - April 2015
VENTURA			
72561	Rio Elementary		
		Nyland aka Rio Vista Elementary	Sold - March 2016

Facility Hardship / Rehabilitation Program

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

SCHOOL DISTRICT DATA	
School District: …….....BUENA PARK ELEMENTARY	County:……..…....ORANGE
Application Number:…….…….58/66456-00-004	School Name:….....COREY (ARTHUR F.) ELEMENTARY
Total District Enrollment:…….…….…….4,869	Project Grade Level:……...……..……..……..…..1-6
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 Seismic Mitigation Program (SMP) rehabilitation project.
Total Project Cost	$ 1,083,142
Cost to the State	$ 541,571

DESCRIPTION

Description of Health and Safety Threat	Building C-5 at Corey Elementary located in Buena Park, California, includes six classrooms and a library. The building, originally constructed in 1967, is categorized as the Most Vulnerable Category 2 Building Type. In December, 2014, a licensed structural engineer prepared a structural evaluation for this building, identifying critical deficiencies in the building's wall, floor, and roof systems. The Division of the State Architect (DSA) concurred with the presence of the threat of a local or global collapse of the facilities in the event of seismic activity, as outlined in the structural engineer's report.
Scope of Project	The scope of the project included structural repairs to the wall, floor and roof systems.
Status of School Site	As of March, 2016, the mitigation work has been completed and the building is occupied.

QUALIFYING CRITERIA

Government/State Level Concurrence	DSA approved Building C-5 for SMP eligibility, and evaluated and approved the seismic mitigation work, and issued plan approval.
Site Visit Completed by Staff	Staff has accepted reports by the industry specialist and DSA approval in lieu of a site visit.
Staff Supports the District's Request	Yes

AUTHORITY

See Attachment A.

(Continued on Page Two)

RECOMMENDATIONS

1. Approve the District's request for placement on the Unfunded List (Lack of AB 55 Loans) for SMP rehabilitation funding for the Building C-5 on the Corey Elementary site, pursuant to the SFP Regulation Section 1859.82, 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 SMP 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.

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 1859.82 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 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 1859.82(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 A

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, 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.

SFP Regulation Section 1859.82 further states:

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 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.

SAB Meeting: **October 17, 2016** **Seismic Mitigation Program - Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No:	58/66456-00-004	**County:**	Orange
School District:	Buena Park Elementary	**School Name:**	Corey (Arthur F.) Elementary

PROJECT DATA

Type of Project:	Elementary 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:**	10
Alternative Education School:	No	**Existing Acres:**	10

ADJUSTED GRANT DATA

Seismic Rehabilitation	$ 541,571
Total State Share (50%)	541,571
District Share (50%)	541,571
Total Project Cost	$ **1,083,142**

PROJECT FINANCING

State Share	
This Project	$ 541,571
District Share	
Cash Contribution	541,571
Total Project Cost	$ **1,083,142**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
New Construction/Additional Grant	**957-505**	**1D**	$	$ 541,571	$ 541,571
District Share					
Cash Contribution				541,571	
Total			$	$ **1,083,142**	$ **541,571**

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.

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 Seismic Mitigation Program project must be returned to the State.

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

SCHOOL DISTRICT DATA	
School District: …….....HEMET UNIFIED	County:…….……...……RIVERSIDE
Application Number:…….…..… 51/67082-00-001	School Name:……...……....HEMET ELEMENTARY
Total District Enrollment:…….…….…….…..... 21,480	Project Grade Level:……...……...……K-6
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 Seismic Mitigation Program (SMP) Replacement project.
Total Project Cost	$ 12,024,662
Cost to the State	$ 6,012,331

DESCRIPTION

Description of Health and Safety Threat	Building B, the main building at Hemet Elementary, is of the Most Vulnerable Category 2 building type. The building was originally constructed in 1927 and houses the school's kitchen and multipurpose room as well as classrooms. In May of 2008, school staff noted significant cracks in the walls of the east wing of the structure, leading to the closure of the east wing. A licensed structural engineer examined the building and determined that there was a significant threat of a local or global collapse of the facility in the event of seismic activity due to ground shaking. Subsequently, the Division of the State Architect concurred with the threat of a local or global collapse as outlined in the Eligibility Evaluation Reports filed by the District's structural engineer. In July of 2009, the District decided to vacate the entire building. Because Building B housed the multipurpose room and a large proportion of the site's classrooms, the entire site was closed when Building B was vacated. The school was temporarily moved to another site, but was closed at the end of the 2009-2010 school year pending the replacement of Building B on the original site.
Scope of Project	The scope of the project includes the demolition and replacement of Building B.
Status of School Site	Building B has been demolished and the project is currently under construction.

QUALIFYING CRITERIA

Government/State Level Concurrence	DSA has approved Building B for SMP eligibility, and has also evaluated and approved a Replacement Option Analysis prepared by the District's structural engineer.
Site Visit Completed by Staff	Staff has accepted reports by the industry specialist and DSA approval in lieu of a site visit.

(Continued on Page Two)

QUALIFYING CRITERIA (cont.)

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 SMP Replacement funding for Building B at Hemet Elementary, pursuant to the SFP Regulation Section 1859.82, 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 SMP replacement 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.

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 1859.82 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 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 1859.82(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 A

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.

SAB Meeting: **October 17, 2016** **Seismic Mitigation Program - Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No: 51/67082-00-001
School District: Hemet Unified
County: Riverside
School Name: Hemet Elementary

PROJECT DATA

Type of Project:	Elementary
K-6:	
7-8:	
9-12:	
Non-Severe:	
Severe:	
Application Filing Basis:	Site Specific
Number of Classrooms:	0
Master Acres:	
Existing Acres:	12
Proposed Acres:	
Recommended Acres:	16
Facility Hardship (a):	Yes
Financial Hardship Requested:	No
Alternative Education School:	No
Addition to Existing Site:	No

ADJUSTED GRANT DATA

Service Site		$	2,029,103
Off-Site			41,038
Utilities			44,901
Fac. Hardship Toilets	978 Sq. Ft.		305,136
Fac. Hardship Other	20,521 Sq. Ft.		3,570,654
Fire Detection Alarm			21,499
Total State Share (50%)			6,012,331
District Share (50%)			6,012,331
Total Project Cost		**$**	**12,024,662**

PROJECT FINANCING

State Share		
This Project	**$**	6,012,331
District Share		
Cash Contribution		6,012,331
Financial Hardship		
Total Project Cost	**$**	**12,024,662**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
New Construction/Add. Grant	**957-505**	**1D**		$ 6,012,331	$ 6,012,331
District Share					
Cash Contribution				6,012,331	
Total			$	$ **12,024,662**	$ **6,012,331**

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.

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

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 Seismic Mitigation Program project will be returned to the State.

STATE ALLOCATION BOARD
APPROVAL ❖ ❖ ❖ October 17, 2016

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

SCHOOL DISTRICT DATA	
School District: ……OCEAN VIEW ELEMENTARY	County:……ORANGE
Application Number:……58/66613-00-002	School Name:.....LAKE VIEW ELEMENTARY
Total District Enrollment:……9,010	Project Grade Level:……K-6
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	$4,457,446
Cost to the State	$2,674,468

DESCRIPTION

Description of Health and Safety Threat	Lake View Elementary in Huntington Beach, California was originally constructed in in 1967. During the course of a SFP modernization project for the main building, asbestos debris contained in the fire retardant on steel structure supports was discovered, and it was also found in the ceiling and air ducts. A certified industrial hygienist determined that the asbestos contamination posed an imminent health and safety threat to the students and staff at the school. As the asbestos abatement progressed, mold under wall coverings, vinyl baseboards and drywall was discovered. Further, lead paint was found on steel structure supports under the fireproofing. The industrial hygienist determined the mold and lead paint also posed a health and safety threat to students and staff. The California Department of Public Health (CDPH) Indoor Air Quality Section reviewed the findings from the industrial hygienist and concurred that the conditions presented a health and safety threat.
Scope of Project	As required in the industrial hygienist's report, rehabilitation work for the asbestos consisted of cleaning the existing asbestos debris and the removal/replacement of the asbestos fire retardant. Rehabilitation work for the mold consisted of removal of wall coverings, vinyl baseboards, and casework, cleaning, and replacement. Rehabilitation work for the lead paint consisted of spot abatements to facilitate welding that was required to correct structural deficiencies.
Status of School Site	As of August, 2016, the mitigation work has been completed and the building is occupied.

QUALIFYING CRITERIA

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

(Continued on Page Two)

QUALIFYING CRITERIA (cont.)

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

AUTHORITY

See Attachment A.

RECOMMENDATIONS

1. Approve the District's request for placement on the Unfunded List (Lack of AB 55 Loans) for Facility Hardship rehabilitation funding for the main building at Lake View Elementary, pursuant to SFP Regulation Section 1859.83(e), as provided on Attachment B.

2. Provide that the State portion of any and all project savings realized from the funding of this rehabilitation 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 the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk.

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: **October 17, 2016** **Rehabilitation - Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No:	58/66613-00-002	**County:**	Orange
School District:	Ocean View Elementary	**School Name:**	Lake View Elementary

PROJECT DATA

Type of Project:	Elementary	**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:**	6.90
Alternative Education School:	No	**Existing Acres:**	13.67

ADJUSTED GRANT DATA

Rehabilitation/Mitigation	$ 2,674,468.00
Total State Share (60%)	2,674,468.00
District Share (40%)	1,782,978.00
Total Project Cost	$ **4,457,446.00**

PROJECT FINANCING

State Share	
This Project	$ 2,674,468.00
District Share	
Cash Contribution	1,782,978.00
Total Project Cost	$ **4,457,446.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
New Construction/Additional Grant	**957-570**	**1D**	$	$ 2,674,468.00	$ 2,674,468.00
District Share					
Cash Contribution				1,782,978.00	
Total			$	$ **4,457,446.00**	$ **2,674,468.00**

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.

Senate Bill 854, Chapter 28, Statutes of 2014 repealed Labor Code (LC) Section 1771.3 which required school districts to provide payment to Department of Industrial Relations (DIR) for prevailing wage monitoring. As a result, school districts 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 are still required to notify DIR within five days of initial contract award pursuant to LC Section 1773.3(a)(1).

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.

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

SCHOOL DISTRICT DATA	
School District: ……OCEAN VIEW ELEMENTARY	County:……ORANGE
Application Number:……58/66613-00-003	School Name:.....OAK VIEW ELEMENTARY
Total District Enrollment:……9,010	Project Grade Level:……K-6
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	$5,011,969
Cost to the State	$3,007,181

DESCRIPTION

Description of Health and Safety Threat	Oak View Elementary in Huntington Beach, California was originally constructed in 1968. During the course of an SFP modernization project for the main building, asbestos debris contained in the fire retardant on steel structure supports was discovered, and it was also found in the ceiling and air ducts. A certified industrial hygienist determined that the asbestos contamination posed an imminent health and safety threat to the students and staff at the school. As the asbestos abatement progressed, mold under wall coverings, vinyl baseboards and drywall was discovered. Further, lead paint was found on steel structure supports under the fireproofing. The industrial hygienist determined the mold and lead paint also posed a health and safety threat to students and staff. The California Department of Public Health (CDPH) Indoor Air Quality Section reviewed the findings from the industrial hygienist and concurred that the conditions presented a health and safety threat.
Scope of Project	As required in the industrial hygienist's report, rehabilitation work for the asbestos consisted of cleaning the existing asbestos debris and the removal/replacement of the asbestos fire retardant. Rehabilitation work for the mold consisted of removal of wall coverings, vinyl baseboards and casework, cleaning, and replacement. Rehabilitation work for the lead paint consisted of spot abatements to facilitate welding that was required to correct structural deficiencies.
Status of School Site	As of January, 2016, the mitigation work has been completed and the building is occupied.

QUALIFYING CRITERIA

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

(Continued on Page Two)

QUALIFYING CRITERIA (cont.)

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

AUTHORITY

See Attachment A.

RECOMMENDATIONS

1. Approve the District's request for placement on the Unfunded List (Lack of AB 55 Loans) for Facility Hardship rehabilitation funding for the main building at Oak View Elementary, pursuant to SFP Regulation Section 1859.83(e), as provided on Attachment B.

2. Provide that the State portion of any and all project savings realized from the funding of this rehabilitation 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 the close proximity to a major freeway, airport, electrical facility, high power transmission lines, dam, pipeline, industrial facility, adverse air quality emission or other health and safety risks, including structural deficiencies required by the DSA to be repaired, seismic mitigation of the Most Vulnerable Category 2 Buildings as verified by the DSA, traffic safety or because the pupils reside in remote areas of the district and transportation to existing facilities is not possible or poses a health and safety risk.

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: **October 17, 2016** **Rehabilitation - Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No:	58/66613-00-003	**County:**	Orange
School District:	Ocean View Elementary	**School Name:**	Oak View Elementary

PROJECT DATA

Type of Project:	Elementary	**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:**	12.4
Alternative Education School:	No	**Existing Acres:**	13.1

ADJUSTED GRANT DATA	
Rehabilitation/Mitigation	$ 3,007,181.00
Total State Share (60%)	3,007,181.00
District Share (40%)	2,004,788.00
Total Project Cost	$ **5,011,969.00**

PROJECT FINANCING	
State Share	
This Project	$ 3,007,181.00
District Share	
Cash Contribution	2,004,788.00
Total Project Cost	$ **5,011,969.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
New Construction/Additional Grant	**957-570**	**1D**	$	$ 3,007,181.00	$ 3,007,181.00
District Share					
Cash Contribution				2,004,788.00	
Total			$	$ **5,011,969.00**	$ **3,007,181.00**

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.

Senate Bill 854, Chapter 28, Statutes of 2014 repealed Labor Code (LC) Section 1771.3 which required school districts to provide payment to Department of Industrial Relations (DIR) for prevailing wage monitoring. As a result, school districts 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 are still required to notify DIR within five days of initial contract award pursuant to LC Section 1773.3(a)(1).

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.

THE FALLBROOK UNION ELEMENTARY SCHOOL DISTRICT/
SAN DIEGO COUNTY ITEM

51/68114-00-001

HAS BEEN WITHDRAWN

THE FALLBROOK UNION ELEMENTARY SCHOOL DISTRICT/
SAN DIEGO COUNTY ITEM

51/68114-00-002

HAS BEEN WITHDRAWN

REPORT OF THE EXECUTIVE OFFICER
State Allocation Board Meeting, October 17, 2016

SCHOOL DISTRICT DATA	
School District: ……...….RIVERSIDE UNIFIED	County:…….……...….RIVERSIDE
Application Number:…….…… 58/67215-00-001	School Name:…….....RAMONA HIGH
Total District Enrollment:…….…….…….....42,462	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 Seismic Mitigation Program (SMP) Rehabilitation project.
Total Project Cost	$ 2,613,854
Cost to the State	$ 1,306,927

DESCRIPTION

Description of Health and Safety Threat	The auditorium/theater building at Ramona High School in Riverside, California was constructed in 1956. The building is of the Most Vulnerable Category 2 Building type. The industry specialist report, September 3, 2015, indicated the masonry walls were deficient and one side of the building had shear wall stress beyond acceptable levels. Additionally, the anchorage of the brick masonry walls was inadequate. The Division of the State Architect (DSA) has concurred with the presence of the threat of a local or global collapse of the facility in the event of seismic activity.
Scope of Project	The scope of the project included alterations to the existing auditorium/theater building to address seismic mitigation, access compliance, fire, life and safety.
Status of School Site	The auditorium/theater is currently being demolished. Students will be housed in interim facilities during construction. It is anticipated that the work will be completed in November 2017.

QUALIFYING CRITERIA

Government/State Level Concurrence	DSA approved the auditorium/theater building for SMP eligibility and also evaluated and approved the planned seismic mitigation work.
Site Visit Completed by Staff	Staff has accepted reports by the industry specialist and DSA approval 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 SMP Rehabilitation funding for the auditorium/theater building at Ramona High school, pursuant to the SFP Regulation Section 1859.82, 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 SMP 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.

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 1859.82 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 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.

ATTACHMENT A

AUTHORITY (cont.)

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.

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, 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.

SAB Meeting: **October 17, 2016** **Seismic Mitigation Program - Adjusted Grant Approval**

SCHOOL DISTRICT DATA

Application No:	58/67215-00-001	**County:**	Riverside
School District:	Riverside Unified	**School Name:**	Ramona 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:**	52.7
Alternative Education School:	No	**Existing Acres:**	54.2

ADJUSTED GRANT DATA

Seismic Rehabilitation	$ 1,405,698.00
Total State Share (50%)	1,405,698.00
District Share (50%)	1,405,698.00
Total Project Cost	$ **2,811,396.00**

PROJECT FINANCING

State Share	
This Project	$ 1,405,698.00
District Share	
Cash Contribution	1,405,698.00
Financial Hardship	
Total Project Cost	$ **2,811,396.00**

HISTORY OF PROJECT COST AND APPORTIONMENT

	Fund Code	Proposition	Previously Authorized	Authorized This Action	Unfunded Approval This Action
State Share					
New Construction/Additional Grant	**957-505**	**1D**	$	$ 1,405,698.00	$ 1,405,698.00
District Share					
Cash Contribution				1,405,698.00	
Total			$	$ **2,811,396.00**	$ **1,405,698.00**

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.

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 Seismic Mitigation Program project must be returned to the State.

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