

**MINUTES**  
**State Allocation Board**  
**January 22, 2003**

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

Members of the Board present were as follows:

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

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

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

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

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

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

Garry Ness, Assistant Chief Counsel

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

**PRIOR MINUTES**

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

**EXECUTIVE OFFICER'S STATEMENT**

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

**CONSENT ITEMS**

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

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

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

***Annual Adjustments to the School Facility Program Grants***

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

***Reservation of Administrative Costs for the California School Finance Authority***

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

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

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

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

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

***Use of New Construction Grant Requests***

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

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

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

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

**REGULATIONS**

***Assembly Bill 16 and 14 Amendments to the School Facility Program***

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

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

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

***Labor Compliance Program (Assembly Bill 1506)***

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

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

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

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

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

The motion carried with the following votes:

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

***Use of Grants***

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

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

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

***Amendments to the State Allocation Board Membership***

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

**CLOSED SESSION**

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

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

**INFORMATION/REFERENCE**

***Board Meeting Dates for the Remainder of the 2003 Calendar Year***

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

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

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

**ADJOURNMENT**

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

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**February 26, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4202 of the State Capitol, Sacramento, California on February 26, 2003 at 4:00 p.m.

Members of the Board present were as follows:

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

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

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

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

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

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

Garry Ness, Assistant Chief Counsel

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

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the January 22, 2003 SAB meeting.

**EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer gave a status report on Oakland Unified School District's financial difficulties and issues regarding appropriate use of bond funds. The Board directed staff to report back at future meetings regarding the status of OPSC's review of the Oakland Unified School District's financial expenditure reports.

**CONSENT ITEMS**

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

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

**SPECIAL CONSENT ITEMS*****Plum Valley Elementary School District/Tehama 50/71613-00-02***

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

***Federal Renovation and Repair Program Time Limit on Apportionments***

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

***Use of New Construction Grants***

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

Glendale Unified/Los Angeles 50/64568-00-06  
Martinez Unified/Contra Costa 50/61739-00-01  
Temecula Valley Unified/Riverside 50/75192-00-22  
Ukiah Unified/Mendocino 50/65615-00-01

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

**SPECIAL APPEAL ITEMS*****Fillmore Unified School District/Ventura 51/72454-00-01***

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

***Mariposa County Unified School District/Mariposa 57/65532-00-02, 06 & 08***

Mr. Dwight Fanning, Director of Facilities, Maintenance, and Transportation for Mariposa County Unified and Mr. Steve Merck, a representative from NMR Architects addressed the Board in support of the District's financial hardship request.

In considering this item, the Board approved the staff's recommendation and the motion carried with the following vote:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
David Takashima		X		
Clothilde Hewlett	X			
David Sickler	X			
Duwayne Brooks	X			
Total	9	1	0	0

**Motion:**

Carried   X  

Failed       

**REGULATIONS**

***Proposed Regulation Amendments for Critically Overcrowded School Facilities Program***

In considering this item, the Board approved staff's recommendations on issues number 1 and 3 and directed staff to amend the existing regulations to allow Critically Overcrowded School (COS) projects to receive design, site or environmental apportionments and include safeguards that will ensure the money is used for COS. The motion carried with the following vote:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Firebaugh	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
David Takashima	X			
Clothilde Hewlett	X			
David Sickler	X			
Duwayne Brooks	X			
Total	10	0	0	0

**Motion:**

Carried   X  

Failed       

**LABOR COMPLIANCE REPORT FROM DEPARTMENT OF INDUSTRIAL RELATIONS**

Mr. Art Luhan, State Labor Commissioner, updated the Board on the progress of the Labor Compliance Program.

**CLOSED SESSION**

In accordance with Section 11126 (e)(1) of the Government Code, the Board adjourned to a closed session at 5:09 p.m. to confer with and receive advice from legal counsel regarding litigation titled: "*Godinez, et al. versus Davis, et al.*" (Los Angeles County Superior Court, Case #BC227352), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 5:33 p.m.

**INFORMATION/REFERENCE**

***Board Meeting Dates for the Remainder of the 2003 Calendar Year***

***OPSC Workload Summary List – New Construction and Modernization through February 18, 2003***

***Education Code Section 17052 (SB 1795) – Unfunded List Summary through January 22, 2003***

***Deferred Maintenance Program – Projects that have received Unfunded Approval as of January 22, 2003***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of February 26, 2003***

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 5:34 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**March 26, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 112 of the State Capitol, Sacramento, California on March 26, 2003 at 3:00 p.m.

Members of the Board present were as follows:

- David Takashima, Chief Deputy Director, Policy, Designated Chair for Steve Peace, Director, Department of Finance
- Clothilde V. Hewlett, Interim Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education Designated representative for Jack O'Connell, Superintendent of Public Education
- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Assembly Member John Dutra
- Assembly Member Tony Strickland
- Senator Bob Margett
- Senator Tom Torlakson

Members of the Board absent were as follows:

- Senator Dede Alpert
- Assembly Member Marco Firebaugh

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

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

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

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

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

Garry Ness, Assistant Chief Counsel

With a quorum present, Mr. Takashima, Chair, called the meeting to order at 3:14 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the February 26, 2003 SAB meeting.

**EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer reported that as of March 17, 2003 the OPSC has submitted approximately \$3 billion in claims to the State Controller's Office, funding a total of 1,383 projects, and within the last month OPSC issued claims totaling \$411,836,331.

**CONSENT ITEMS**

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

**FINANCIAL REPORTS**

***Status of Funds***

The Board accepted the Status of Funds report as presented.

**SPECIAL CONSENT ITEMS**

***El Rancho Unified/Los Angeles 51/64527-00-01***

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

***San Francisco Unified/San Francisco 51/68478-17-01***

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

***Use of New Construction Grants***

The following districts requested to use new construction School Facility Program grants pursuant to Regulation Section 1859.77.2:

**ATTACHMENT A**

Hawthorne/Los Angeles	50/64592-00-07
Fullerton Elementary/Orange	50/66506-00-02
San Gabriel Unified/Los Angeles	50/75291-00-08
Thermalito Union Elementary/Butte	50/61549-00-02
Tulare City Elementary/Tulare	50/72231-00-02

**ATTACHMENT B**

Ceres Unified/Stanislaus	50/71043-00-01
Lake Elsinore Unified/Riverside	50/75176-00-12
Lake Elsinore Unified/Riverside	50/75176-00-15
San Miguel Joint Union/San Luis Obispo	50/68825-00-02
Wheatland Elementary/Yuba	50/72751-00-03

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

**SPECIAL APPEAL ITEMS**

***Brawley Elementary/Imperial 77/63073-00-03 and 04***

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

***Deferred Maintenance Program Deposits***

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

## **REPORTS**

### ***Oakland Unified School District Update***

In considering this item, the Board accepted the staff's report and they waived their attorney-client privilege as it relates to the Attorney General's opinion on the use of state school construction bond funds by the Oakland Unified School District. The Attorney General stated that the use of state grant funds for general fund purposes, where the project costs were initially financed by local bonds funds, may not meet the requirements of the state and local bond acts. The Attorney General recommended that the District be notified that state reimbursement funds could be deposited in its general fund, only if the expenditures were not made from local bond funds.

The Board directed staff to:

- Advise the District of the Attorney General's opinion regarding the use of state grant funds for general purposes.
- Review the regulations and prepare proposed changes as necessary and;
- Retain tax counsel to advise the SAB on the regulations.

### ***Deferred Maintenance Program Maximum Deposit Report***

In considering this item, the Board accepted the report.

### ***Best Practices***

In considering this item, the Board accepted the report and Senator Torlakson requested that staff and the Implementation Committee review the Best Practices manual and develop Best Practice standards, as well as, provide incentives for the reuse of plans by the districts.

### ***Site and Plan Approval Procedural Change Report***

In considering this item, the Board accepted the California Department of Education's report.

### ***Department of Industrial Relations AB 1506 Status Report***

Mr. Art Luhan, State Labor Commissioner, updated the Board on the status of the Department of Industrial Relations workload including the number of Labor Compliance Programs received and approved to date.

- ❖ Received – 108
- ❖ Approved – 84
- ❖ Denied – 23

In considering this item, the Board accepted the Department of Industrial Relations status report.

## **INFORMATION/REFERENCE**

***Board Meeting Dates for the Remainder of the 2003 Calendar Year***

***OPSC Workload Summary List – New Construction and Modernization through March 18, 2003***

***Lease-Purchase Program Unfunded List – Joint Use LPP (SB 1795) Summary through January 31, 2003***

***Deferred Maintenance Program – Projects that have received Unfunded Approval as of February 26, 2003***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of February 26, 2003***

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 4:19 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**April 23, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Board Room 1101 of the Department of Education, Sacramento, California on April 23, 2003 at 4:00 p.m.

Members of the Board present were as follows:

- David Takashima, Chief Deputy Director, Policy, Designated Chair for Steve Peace, Director, Department of Finance
- Jacqueline Wilson, Deputy Director, Interagency Support Division, Department of General Services Designated alternate for J. Clark Kelso, Interim Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education Designated representative for Jack O'Connell, Superintendent of Public Education
- Assembly Member Marco Firebaugh
- Senator Bob Margett
- Senator Tom Torlakson
- Senator Dede Alpert

Members of the Board absent were as follows:

- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Assembly Member John Dutra
- Assembly Member Tony Strickland

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

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

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

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

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

Garry Ness, Assistant Chief Counsel

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

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the March 26, 2003 SAB meeting.

**CONSENT ITEMS**

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

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

**SPECIAL CONSENT ITEMS*****Rim of the World/San Bernardino 50/67868-00-01***

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

***Use of New Construction Grants***

The following districts requested to use new construction School Facility Program grants pursuant to Regulation Section 1859.77.2:

Allensworth Elementary/Tulare	50/71795-00-02
Fairfield-Suisun Unified/Solano	50/70540-00-05
Tipton Elementary/Tulare	50/72215-00-01
Washington Union Elementary/Monterey	50/66233-00-01

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

**REPORTS*****Status of Attorney General's Opinion on the Use of Bond Funds***

The Board accepted the report and requested that county offices of education have an opportunity to provide input in developing future regulations regarding the use of state grant funds.

**REGULATIONS/POLICY*****Labor Compliance Grant Regulations***

This item was withdrawn from the agenda.

***Use of New Construction Grants Regulations***

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

**INFORMATION/REFERENCE*****Department of Industrial Relations AB 1506 Status Report***

Mr. Art Luhan, State Labor Commissioner, updated the Board on the status of the Department of Industrial Relations workload including the number of Labor Compliance Programs received and approved to date.

- ❖ Received – 173
- ❖ Approved – 142
- ❖ Denied – 35

***Board Meeting Dates for the Remainder of the 2003 Calendar Year***

***OPSC Workload Summary List – New Construction and Modernization through April 11, 2003***

***Lease-Purchase Program Unfunded List – Joint Use LPP (SB 1795) Summary through March 26, 2003***

***Deferred Maintenance Program – Projects that have received Unfunded Approval as of March 26, 2003***

***Facility Hardship/Rehabilitation Approvals Without Funding List as of March 26, 2003***

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 5:06 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**May 28, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 112 of the State Capitol, Sacramento, California on May 28, 2003 at 2:00 p.m.

Members of the Board present were as follows:

- Jeannie Oropeza, Program Budget Manager, Education, designated alternate for Steve Peace, Director, Department of Finance
- Jacqueline R. Wilson, Deputy Director, Interagency Support Division, Department of General Services  
designated alternate for J. Clark Kelso, Interim Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
designated representative for Jack O'Connell, Superintendent of Public Education
- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Assembly Member John Dutra
- Assembly Member Tony Strickland
- Senator Bob Margett
- Senator Tom Torlakson
- Senator Dede Alpert

Members of the Board absent were as follows:

- Assembly Member Marco Firebaugh

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

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

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

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

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

Garry Ness, Assistant Chief Counsel

With a quorum present, Ms. Oropeza, Chair, called the meeting to order at 2:09 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the April 23, 2003 SAB meeting.

### **EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer advised the Board that staff will be presenting projects at future SAB meetings wherein the district certified to certain conditions on their applications which may represent a material inaccuracy finding pursuant to Regulation 1859.104.1. The Executive Officer also provided the Board with an update of the Critically Overcrowded Schools and Charter School programs, highlighting the 436 COS applications and the 26 Charter School applications received by their respective cutoff dates.

### **CONSENT ITEMS**

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

### **FINANCIAL REPORTS**

#### ***Status of Funds***

The Board accepted the Status of Funds report as presented.

### **SPECIAL CONSENT ITEMS**

#### ***Federal Renovations and Repair Program Time Limit on Apportionments***

Mr. Brooks emphasized with the school districts that the Federal Renovation and Repair Program guidelines need to be adhered to very strictly since there are no extensions to the federal timelines. The Executive Officer stated that OPSC has sent several reminders to districts advising them of the deadline for fund releases.

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

#### ***Use of New Construction Grants***

The following districts requested to use new construction School Facility Program grants pursuant to Regulation Section 1859.77.2:

Buena Vista Elementary/Tulare	50/71829-00-01
Pierce Joint Unified/Colusa	50/61614-00-03
Selma Unified/Fresno	50/62430-00-19
Selma Unified/Fresno	50/62430-00-13, 14, 15 & 16
Stockton Unified/San Joaquin	50/68676-00-02
Temecula Valley Unified/Riverside	50/75192-00-24

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

#### ***Anaheim City Elementary/Orange 50/66423-00-04***

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

#### ***Junction Elementary/Siskiyou 50/70367-00-03***

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

**SPECIALS/APPEALS*****Carlsbad Unified/San Diego 50/73551-00-03***

The Board did not take an action on this item. Instead, the Board directed staff to review the regulation with the Implementation Committee to determine whether the current regulation require a modification. In addition, the Board requested that staff review the feasibility of including a provision that would allow the Board to address "case-by-case" situations.

***Perris Elementary/Riverside 50/67199-00-03***

This item was withdrawn by the District.

**INFORMATION/REFERENCE*****Department of Industrial Relations AB 1506 Status Report***

Mr. Art Luhan, State Labor Commissioner, updated the Board on the status of the Department of Industrial Relations workload including the number of Labor Compliance Programs received and approved to date.

***Board Meeting Dates for the Remainder of the 2003 Calendar Year******OPSC Workload Summary List – New Construction and Modernization through May 19, 2003******Lease-Purchase Program Unfunded List – Joint Use LPP (SB 1795) Summary through April 23, 2003******Deferred Maintenance Program – Projects that have received Unfunded Approval as of April 23, 2003******Facility Hardship/Rehabilitation Approvals Without Funding List as of April 23, 2003*****CLOSED SESSION**

In accordance with Section 11126 (e)(1) of the Government Code, the Board adjourned to a closed session at 2:30 p.m. to confer with and receive advice from legal counsel regarding litigation titled: "*Godinez, et al. versus Davis, et al.*" (Los Angeles County Superior Court, Case #BC227352), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 2:39 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 2:40 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**July 2, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 2040 of the State Capitol, Sacramento, California on July 2, 2003 at 2:00 p.m.

Members of the Board present were as follows:

- Jeannie Oropeza, Program Budget Manager, Education, designated alternate for Steve Peace, Director, Department of Finance
- Jacqueline R. Wilson, Deputy Director, Interagency Support Division, Department of General Services  
designated alternate for J. Clark Kelso, Interim Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education  
designated representative for Jack O'Connell, Superintendent of Public Education
- Assembly Member Cindy Montanez appointed by the Assembly Speaker for the July 2, 2003 meeting
- Assembly Member John Dutra
- Assembly Member Tony Strickland
- Senator Bob Margett
- Senator Tom Torlakson
- Senator Dede Alpert

Members of the Board absent were as follows:

- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California

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

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

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

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

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

Deborah Cregger, Staff Counsel

With a quorum present, Ms. Oropeza, Chair, called the meeting to order at 2:12 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the May 28, 2003 SAB meeting.

**EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer advised the Board that staff has completed the SB 575 survey of its constituents to determine the adequacy of the per-pupil funding for automatic fire detection, alarm and sprinkler systems for School Facility Program projects. Staff will present its findings to the SAB at its July 23, 2003 meeting.

The Executive Officer also advised the Board of a decreasing number of School Facility Program New Construction applications being received by the Office of Public School Construction.

**CONSENT ITEMS**

There were public comments on the Elk Grove School Facility Program eligibility and funding item from the following individuals:

Ms. Sharon Lines, representative for Citizens for Responsible Planning and Growth, spoke against funding the Elk Grove project (Application # 50/67314-00-018) and requested that the SAB not fund the project because they are currently in litigation with the Elk Grove School District.

Ms. Barbara Lemar, representative for Citizens for Responsible Planning and Growth, spoke against funding the Elk Grove project (Application # 50/67314-00-018).

Mr. Constantine Baranoff, Assistant Superintendent, Elk Grove Unified School District, reported that the District is on track with all the necessary work including the preparation of the EIR which was recertified by the Board of Education on December 9, 2002. Mr. Baranoff assured the SAB that they were doing everything according to the regulations.

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

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

Senator Torlakson requested that staff look into the causes for the decline of applications and report back.

**SPECIAL CONSENT ITEMS*****Use of New Construction Grants***

The following districts requested to use new construction School Facility Program grants pursuant to Regulation Section 1859.77.2:

Clear Creek Elementary/Nevada	50/66324-00-01
Freshwater Elementary/Humboldt	50/62828-00-01
Pleasanton Unified/Alameda	50/75101-00-09

Stockton Unified/San Joaquin	50/68676-00-03
Sweetwater Union High/San Diego	50/68411-02-03
Temecula Valley Unified/Riverside	50/75192-00-25 & 26
Windsor Unified/Sonoma	50/75358-00-10

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

***Tahoe-Truckee Unified/Placer 22/66944-01-02\****

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

***Charter School Facility Program Preliminary Apportionments Approvals***

Mr. Ernie Silva, Consultant, requested that the SAB consider establishing an unfunded list for the projects in line that were not funded under the Charter School Facility Program.

Senator Alpert suggested that OPSC assure that only those applicants approved but did not receive Charter School funds at this meeting have an opportunity to compete for any Proposition 47 funds returned to the Charter School Program.

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

**SPECIALS/APPEALS**

***Las Banderas Academy Charter School/San Bernardino 50/67686-00-01***

This item was withdrawn by the District.

***Beaumont Unified School District/Riverside***

The following individuals spoke on this item:

Assembly Member Russ Bogh requested that the SAB not make a finding of "material inaccuracy". Mr. Bogh pointed out that these mistakes were made by a previous administration. Mr. Bogh stated that he believes that Beaumont has acted in good faith and that there have been different interpretations of the law and offered to write the bill to clean up the law.

Mr. Frank Pasarella, Superintendent, Beaumont Unified School District, requested that the SAB not make a finding of "material inaccuracy". The District stated that it would voluntarily accept the penalties. The District was very concerned about maintaining public support to help pass a school bond in November.

In considering this item, the Board approved staff's recommendation #1 and stated the following; and the motion carried with the following vote:

The SAB requested that it be recognized that the current Superintendent and his administration should be held harmless and noted that it cooperated fully with the Office of Public School Construction.

**Recommendation #1**

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Montanez	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
Jeannie Oropeza	X			
Jacqueline Wilson	X			
David Sickler				X
Duwayne Brooks	X			
Total	9	0	0	1

**Motion:**Carried   X  Failed       

In considering staff's recommendations #2, #3, #4 and #5 the Board addressed each one individually as follows and the motions carried with the following vote:

**Recommendation #2**

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Montanez	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
Jeannie Oropeza	X			
Jacqueline Wilson	X			
David Sickler				X
Duwayne Brooks	X			
Total	9	0	0	1

**Motion:**Carried   X  Failed       **Recommendation #3**

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Montanez	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
Jeannie Oropeza		X		
Jacqueline Wilson	X			
David Sickler				X
Duwayne Brooks	X			
Total	8	1	0	1

**Motion:**  
 Carried   X    
 Failed       

**Recommendation #4**

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Montanez	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
Jeannie Oropeza		X		
Jacqueline Wilson	X			
David Sickler				X
Duwayne Brooks	X			
Total	8	1	0	1

**Motion:**  
 Carried   X    
 Failed       

**Recommendation #5**

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Montanez	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
Jeannie Oropeza	X			
Jacqueline Wilson	X			
David Sickler				X
Duwayne Brooks	X			
Total	9	0	0	1

**Motion:**  
 Carried   X    
 Failed       

**REGULATIONS/POLICY**

***Assembly Bill 1506- Grant Adjustment for Labor Compliance Program***

In considering this item, the Board approved the staff's recommendations and the motion carried with the following vote:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett		X		
Senator Torlakson	X			
Assembly Member Montanez	X			
Assembly Member Dutra	X			
Assembly Member Strickland	X			
Jeannie Oropeza	X			
Jacqueline Wilson	X			
David Sickler				X
Duwayne Brooks	X			
Total	8	1	0	1

**Motion:**

Carried   X  

Failed       

**REPORTS**

***Charter School Facility Program Joint Report***

This item was withdrawn and will be scheduled to the July 23, 2003 State Allocation Board meeting.

**INFORMATION/REFERENCE**

***Board Meeting Dates for the Remainder of the 2003 Calendar Year***

***OPSC Workload Summary List – New Construction and Modernization through June 19, 2003***

***Lease-Purchase Program Unfunded List – Joint Use LPP (SB 1795) Summary through May 28, 2003***

***Deferred Maintenance Program – Projects that have received Unfunded Approval as of May 28, 2003***

***Facility Hardship/Rehabilitation Approvals without Funding List as of May 28, 2003***

**CLOSED SESSION**

The Board did not hold a closed session.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 4:00 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**July 23, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 of the State Capitol, Sacramento, California on July 23, 2003 at 2:00 p.m.

Members of the Board present were as follows:

- Jeannie Oropeza, Program Budget Manager, Education, designated alternate for Steve Peace, Director, Department of Finance
- Jacqueline R. Wilson, Deputy Director, Interagency Support Division, Department of General Services  
designated alternate for J. Clark Kelso, Interim Director, Department of General Services
- Susan Lange, Deputy Superintendent, Finance, Technology and Administration Division, California Department of Education representative for Jack O'Connell, Superintendent of Public Instruction
- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Senator Bob Margett
- Senator Tom Torlakson
- Senator Dede Alpert

Members of the Board absent were as follows:

- Assembly Member John Dutra
- Assembly Member Marco Firebaugh
- Assembly Member Tony Strickland

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

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

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

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

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

Garry Ness, Acting Chief Counsel

With a quorum present, Ms. Oropeza, Chair, called the meeting to order at 2:12 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the July 2, 2003 SAB meeting.

**EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer advised the Board that:

- The report on the adequacy of the increased per pupil grant providing funds for automatic fire detection, alarm and sprinkler systems will be presented at the August 27, 2003 SAB meeting, after further clarification of information for the Implementation Committee.

SAB Minutes

2

July 23, 2003

- The OPSC expects the \$179 million in modernization funds remaining after this Board to be exhausted at the August SAB meeting.
- A report will be presented at the August SAB on staff's findings regarding the decline in new construction applications, as requested by Senator Torlakson.

### **CONSENT ITEMS**

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

### **FINANCIAL REPORTS**

#### ***Status of Funds***

The Board accepted the Status of Funds report as presented.

### **SPECIAL CONSENT ITEMS**

#### ***Federal Renovation and Repair Program***

The following districts requested a waiver of the time limit on the release of funds under the Federal Renovation and Repair Program:

- |   |                 |
|---|-----------------|
| ➤ Columbine Elementary/Tulare           | 60/71852-01-001 |
| ➤ Santa Paula Union High/Ventura        | 60/72595-01-001 |
| ➤ Snowline Joint Unified/San Bernardino | 60/73957-01-001 |
| ➤ Union Hill Elementary/Nevada          | 60/66407-01-001 |

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

### **SPECIALS/APPEALS**

#### ***Lease-Purchase Program Joint Use Funding***

In considering this item, the Board approved the staff's recommendations which included extending the program and accepting applications through May 31, 2004 for funding consideration in July 2004.

#### ***School Facility Program Joint Use Funding***

In considering this item, the Board approved the staff's recommendations with the direction to bring a report to the August SAB meeting that would provide recommendations for methods to increase participation in joint use programs and to include information on the type of child care facility funded. The remaining joint use funds will be available for apportionment at the July 2004 SAB meeting.

#### ***Tahoe-Truckee Unified/Placer – 51/66944-00-01***

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

**REPORTS**

***Charter School Facility Program Joint Report***

The Board accepted the joint report.

**INFORMATION/REFERENCE**

A letter from the Department of Finance was handed out as an information item. The letter presents questions and answers about a school district's implementation of a Labor Compliance Program. (See attached)

***Board Meeting Dates for the Remainder of the 2003 Calendar Year***

***OPSC Workload Summary List – New Construction and Modernization through July 14, 2003***

***Deferred Maintenance Program – Projects that have received Unfunded Approval as of July 2, 2003***

***Facility Hardship/Rehabilitation Approvals without Funding List as of July 2, 2003***

**CLOSED SESSION**

The Board did not hold a closed session.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 2:45 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**August 27, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 126 of the State Capitol, Sacramento, California on August 27, 2003 at 4:00 p.m.

Members of the Board present were as follows:

- Jeannie Oropeza, Program Budget Manager, Education, designated alternate for Steve Peace, Director, Department of Finance
- Jacqueline R. Wilson, Deputy Director, Interagency Support Division, Department of General Services  
designated alternate for J. Clark Kelso, Interim Director, Department of General Services
- Jack O'Connell, Superintendent of Public Instruction and Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education designated representative for Jack O'Connell, Superintendent of Public Education
- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Senator Bob Margett
- Senator Tom Torlakson
- Senator Dede Alpert
- Assembly Member John Dutra
- Assembly Member Jackie Goldberg appointed by the Assembly Speaker for the August 27, 2003 meeting

Members of the Board absent were as follows:

- Assembly Member Tony Strickland

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

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

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

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

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

Garry Ness, Acting Chief Counsel

With a quorum present, Ms. Oropeza, Chair, called the meeting to order at 4:11 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the July 23, 2003 SAB meeting. Assembly Member Goldberg abstained from voting.

**CONSENT ITEMS**

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

**FINANCIAL REPORTS**

***Status of Funds***

The Board accepted the Status of Funds report as presented.

**SPECIAL CONSENT ITEMS**

***Use of New Construction Grants***

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

**SPECIALS/APPEALS**

***Critically Overcrowded Schools Funding***

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

***Inglewood Unified/Los Angeles 51/64634-00-01***

Mr. Joel Kirschenstein, District Representative, spoke about the structural deficiencies of the Cozier Middle School.

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

**REGULATIONS**

***Adjustments to the Automatic Fire Detection/Alarm and Automatic Sprinkler Requirement***

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

***Alternative Education Schools Classroom Loading and Support Facility Funding***

The Chair requested that staff come back with the adjusted grant regulations and resolve the new loading standards for these facilities. Mr. Sickler requested that an expert address the SAB next month and the Board postponed taking action on this item.

***District Funded Facilities included in existing School Building Capacity***

In considering this item, the Board approved the staff's recommendations with the modification to the regulations to extend the grandfathering provision period from 90 days to 120 days.

***Proposed Clarifications to the Deferred Maintenance Regulations***

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

**REPORTS*****School Facility Program Applications Activity Report***

The Board accepted the School Facility Program Application Activity Report.

***School Facility Program Joint Use Report***

Assembly Member Dutra requested that staff look into the Joint Use Program to see if it would be possible to include sports facilities and report back to the Board.

The Board accepted the School Facility Program Joint Use Report.

**INFORMATION/REFERENCE*****Department of Industrial Relations AB 1506 Status Report***

Mr. Art Luhan, State Labor Commissioner, updated the Board on the status of the Department of Industrial Relations workload including the number of Labor Compliance Programs received and approved to date.

Assembly Member Goldberg was concerned with the Department of Finance's questions and answers about a school district's implementation of the Labor Compliance Program in that they were contradictory to DIR's handbook and created two sets of rules.

Senator Alpert requested that someone from DIR's legal department come before the SAB next month.

Assembly Member Goldberg suggested that members from the SAB meet with the Department of Finance and DIR to resolve this issue. Mr. Sickler and Senator Margett volunteered their services.

***Board Meeting Dates for the Remainder of the 2003 Calendar Year******OPSC Workload Summary List – New Construction and Modernization through August 5, 2003******Deferred Maintenance Program – Projects that have received Unfunded Approval as of July 27, 2003******Facility Hardship/Rehabilitation Approvals without Funding List as of July 27, 2003***

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 6:00 p.m. to confer with and receive advice from legal counsel regarding litigation titled: "*Godinez, et al. versus Davis, et al.*" (Los Angeles County Superior Court, Case #BC227352), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 6:04 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 6:05 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**September 24, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 4203 of the State Capitol, Sacramento, California on September 24, 2003 at 2:00 p.m.

Members of the Board present were as follows:

- Shelley Mateo, Deputy Director, Department of Finance, designated alternate for Steve Peace, Director, Department of Finance
- Dr. William J. Jefferds, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education designated representative for Jack O'Connell, Superintendent of Public Education
- David Sickler, Southern Regional Director, State Building & Construction Trades Council of California
- Senator Bob Margett
- Senator Tom Torlakson
- Senator Dede Alpert

Members of the Board absent were as follows:

- Assembly Member Firebaugh
- Assembly Member John Dutra
- Assembly Member Tony Strickland

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

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

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

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

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

Garry Ness, Acting Chief Counsel

With a quorum present, Ms. Mateo, Chair, called the meeting to order at 2:12 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the August 27, 2003 SAB meeting.

**EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer reported that the Office of Public School Construction would be presenting the loading standards for alternative education pupils at the October SAB and an expert on the issue would be available to testify. It was also noted that the Advisory Committee public hearing scheduled to follow the SAB with the Department of Finance and the Department of Industrial was cancelled.

**CONSENT ITEMS**

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

**FINANCIAL REPORTS**

***Status of Funds***

The Board accepted the Status of Funds report as presented.

***Administrative Costs for Fiscal Year 2003/2004***

The Chair expressed concern that it was premature for the Board to take action on the Administrative Costs for the Fiscal Year 2003/2004 item because to date not all agencies have approved reduction plans including the Department of General Services and the Department of Education.

In considering this item, the Board approved the staff's recommendations and the motion carried with the following vote:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Firebaugh				X
Assembly Member Dutra				X
Assembly Member Strickland				X
Shelley Mateo		X		
Dr. William J. Jefferds	X			
David Sickler	X			
Duwayne Brooks	X			
Total	6	1	0	3

**Motion:**

Carried   X  

Failed       

**SPECIAL CONSENT ITEMS**

***Use of New Construction Grants***

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

***Federal Renovation and Repair Program Time Limit on Apportionments***

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

***State Relocatable Classroom Program***

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

**SPECIALS/APPEALS*****Carmel Unified/Monterey 58/65987-00-01***

Mr. Henry Ruhnke, district representative from Ruhnke, Wald, Ruhnke & Dost Architects, responded to questions from Senator Margett and explained the site mitigation work that needs to be completed at Carmel High School.

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

***Lynwood Unified/Los Angeles 50/64774-00-16***

Mr. Hancock amended the recommendation by adding the funding is subject to receipt of an approvable application and subject to the availability of funds. This will clarify that the item is strictly conceptual in nature and does not bind the SAB to future funding.

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

**REPORTS*****Lease Lease-Back Agreements in the School Facility Program***

The Board did not accept the report.

Mr. Sickler requested to go on record as being opposed to using state bond money for Lease Lease-Back agreements.

Senator Alpert requested that this item be taken to the Implementation Committee and report back with recommendations at the January 2004 SAB meeting.

Dr. Jefferds requested data on how many districts are utilizing Lease Lease-Back agreements.

Senator Margett requested that the design build bid process be reviewed.

**REGULATIONS*****Modernization Funding for Lead-Safe Schools***

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

**INFORMATION/REFERENCE*****Board Meeting Dates for the Remainder of the 2003 Calendar Year******OPSC Workload Summary List – New Construction and Modernization through September 17, 2003******Deferred Maintenance Program – Projects that have received Unfunded Approval as of August 27, 2003******Facility Hardship/Rehabilitation Approvals without Funding List as of August 27, 2003***

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 2:57 p.m. to confer with and receive advice from legal counsel regarding litigation titled: "*Godinez, et al. versus Davis, et al.*" (Los Angeles County Superior Court, Case #BC227352), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 3:06 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 3:07 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**October 22, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 112 of the State Capitol, Sacramento, California on October 22, 2003 at 2:00 p.m.

Members of the Board present were as follows:

- Shelley Mateo, Deputy Director, Department of Finance, designated alternate for Steve Peace, Director, Department of Finance
- Dr. William J. Jefferds, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education designated representative for Jack O'Connell, Superintendent of Public Education
- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Senator Bob Margett
- Assembly Member Firebaugh

Members of the Board absent were as follows:

- Senator Dede Alpert
- Senator Tom Torlakson
- Assembly Member John Dutra
- Assembly Member Tony Strickland

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

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

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

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

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

Garry Ness, Acting Chief Counsel

With a quorum present, Ms. Mateo, Chair, called the meeting to order at 2:25 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the September 24, 2003 SAB meeting.

**EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer advised the SAB members that the combined November/December State Allocation Board meeting will be held on December 10, 2003 at 2:00 p.m.

**CONSENT ITEMS**

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

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

**SPECIAL CONSENT ITEMS*****Use of New Construction Grants***

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

***Federal Renovation and Repair Program Time Limit on Apportionments***

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

***San Luis Obispo County Office of Education/San Luis Obispo 50/10405-00-020***

Dr. Jefferds asked Mr. David Keil, Director of Operational Services for the San Luis Obispo County Office of Education, if the District was aware of the conditions of the staff's recommendations and the consequences if the deadlines were not met. Mr. Keil stated that the District was aware of the conditions.

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

***Shoreline Unified/Marin 51/73361-00-001***

Dr. Jefferds asked Mr. Steven Rosenthal, Superintendent of Shoreline Unified School District, if the District was aware of the consequences in the staff's recommendations if the District does not perform. Mr. Rosenthal stated that they do not have a problem with the recommendation and they are grateful for the funding.

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

**SPECIALS/APPEALS*****Glenn County Office of Education/Glenn 57/10116-00-001, 002 and 004***

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

**REGULATIONS*****Alternative Education Schools Classroom Loading and Support Facility Funding – AB 695***

This item was withdrawn at the request of the Department of Finance. This item will be scheduled for the December 10, 2003 SAB meeting.

***Charter School Application Filing Regulation Amendment***

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

**INFORMATION/REFERENCE**

***Board Meeting Dates for the Remainder of the 2003 Calendar Year***

***Modernization Unfunded List – Projects that have received Unfunded Approval as of September 24, 2003***

***OPSC Workload Summary List – New Construction and Modernization through October 2, 2003***

***Deferred Maintenance Program – Projects that have received Unfunded Approval as of September 24, 2003***

***Facility Hardship/Rehabilitation Approvals without Funding List as of August 27, 2003***

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 2:43 p.m. to confer with and receive advice from legal counsel regarding litigation titled: "*Godinez, et al. versus Davis, et al.*" (Los Angeles County Superior Court, Case #BC227352), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 3:02 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 3:03 p.m.

---

**LUISA M. PARK, Executive Officer**

**MINUTES**  
**State Allocation Board**  
**December 10, 2003**

Upon notice duly given, the monthly meeting of the State Allocation Board was held in Room 447 of the State Capitol, Sacramento, California on December 10, 2003 at 2:00 p.m.

Members of the Board present were as follows:

- Jeannie Oropeza, Program Budget Manager, Education, Department of Finance, designated alternate for Donna Arduin, Director, Department of Finance
- Dr. William J. Jefferds, Director, Department of General Services
- Duwayne Brooks, Director, School Facilities Planning Division, California Department of Education designated representative for Jack O'Connell, Superintendent of Public Education
- David Sickler, Southern Regional Director, State Building & Constructions Trades Council of California
- Senator Dede Alpert
- Senator Tom Torlakson
- Senator Bob Margett
- Assembly Member Marco Firebaugh
- Assembly Member John Dutra

Members of the Board absent were as follows:

- Assembly Member Tony Strickland

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

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

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

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

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

Garry Ness, Acting Chief Counsel

With a quorum present, Ms. Oropeza, Chair, called the meeting to order at 2:15 p.m.

**PRIOR MINUTES**

A motion was made and carried to approve the minutes for the October 22, 2003 SAB meeting.

**EXECUTIVE OFFICER'S STATEMENT**

The Executive Officer advised the SAB members that the Governor issued Executive Order S-2-03 on November 17, 2003 which requires all Departments to cease processing any proposed regulatory action and requests the immediate return of any pending regulations from the Office of Administrative Law and those now in the regulatory process. The OPSC will request an exception for future regulation packages and plans to bring proposed regulation amendments for the School Facility Program to the January 2004 SAB meeting.

**CONSENT ITEMS**

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

**FINANCIAL REPORTS*****Status of Funds***

The Board accepted the Status of Funds report as presented.

***Modernization Funding for Energy***

In considering this item, the Board approved the staff's recommendations with direction to replenish the energy fund as soon as possible and to report at a future SAB meeting on what can be done to ensure that energy funds will be used in the future and to include information on obstacles that districts may face requesting energy funds.

***Reservation of Administrative Costs for the California School Finance Authority***

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

**SPECIAL CONSENT ITEMS*****Deferred Maintenance Program Funding***

This item was withdrawn by the Office of Public School Construction and will be placed on the January 28, 2004 SAB agenda.

***Grant Joint Union High/Sacramento 58/67363-00-01***

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

***Le Grand Union High/Merced 51/65730-00-01***

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

***Loma Prieta Joint Union Elementary/Santa Clara 51/69500-00-01***

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

***Palo Verde Unified/Riverside 5167181-00-01***

Ms. Kate Wren, Superintendent for Palo Verde Unified School District, answered questions from the SAB members.

Senator Torlakson and Senator Dutra requested that staff request a legal opinion on the liability of the company as well as the district and agencies that approved the construction of the school on a gas line. They also requested information on what ramifications there are for other school districts if approved.

Senator Margett requested more data from experts in the field of gas transmission lines. He also requested staff research if a bill is necessary to require local entities to cooperate and relinquish information pertaining to pipelines.

Mr. Garry Ness, Acting Chief Counsel, recommended that the Attorney General’s office assess the legal obligations due to their expertise in tort condemnation.

Senator Torlakson moved to incorporate all staff requests and report back at the January SAB meeting; and the motion carried with the following vote:

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Dutra	X			
Assembly Member Firebaugh	X			
Assembly Member Strickland				X
Jeannie Oropeza	X			
Dr. William J. Jefferds	X			
David Sickler	X			
Duwayne Brooks		X		
Total	8	1	0	1

**Motion:**

Carried   X    
 Failed       

***Use of New Construction Grants***

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

**SPECIALS/APPEALS**

***Lakeside Union Elementary/San Diego 25/68189-00-12***

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

***Rim of the World Unified/San Bernardino 58/67868-00-001***

Senator Brulte spoke in favor of the Rim of the World Unified’s request for approval for excessive costs for rehabilitation needs due to health and safety issues at several sites in the District and for financial hardship assistance.

Mr. Clint Harwick, Superintendent for the Rim of the World Unified spoke on behalf of the District.

In considering this item, the Board approved the staff’s recommendation, with the following amendment to staff recommendation #3; and the motion carried with the following vote:

Specify that funds made available to the District from any source for the purposes of tree removal or generators be returned to the state in an amount up to the value of the District’s 40 percent contribution.

MEMBER	AYE	NAY	ABSTAIN	ABSENT
Senator Alpert	X			
Senator Margett	X			
Senator Torlakson	X			
Assembly Member Dutra	X			
Assembly Member Firebaugh		X		
Assembly Member Strickland				X
Jeannie Oropeza	X			
Dr. William J. Jefferds	X			
David Sickler	X			
Duwayne Brooks	X			
Total	8	1	0	1

**Motion:**

Carried   X  

Failed       

**INFORMATION/REFERENCE**

***Board Meeting Dates for the 2004 Calendar Year***

***Modernization Unfunded List – Projects that have received Unfunded Approval as of October 22, 2003***

***OPSC Workload Summary List – New Construction and Modernization through December 2, 2003***

***Facility Hardship/Rehabilitation Approvals without Funding List as of October 22, 2003***

**CLOSED SESSION**

In accordance with Section 11126 (e) (1) of the Government Code, the Board adjourned to a closed session at 3:23 p.m. to confer with and receive advice from legal counsel regarding litigation titled: “*Godinez, et al. versus Davis, et al.*” (Los Angeles County Superior Court, Case #BC227352), in which the Board is named as a defendant.

Upon conclusion of the closed session, the Board reconvened into open session at 3:39 p.m.

**ADJOURNMENT**

There being no further business to come before the Board, the Chair adjourned the meeting at 3:40 p.m.

---

**LUISA M. PARK, Executive Officer**