



AUGUST 2018

UPCOMING EVENTS

CASH August Workshops

Critically Important Changes in CEQA Law That Will Impact and Challenge School District Compliance
8/21/18, Sacramento
8/24/18, Ontario

Maintenance Network Workshops

10/19/18, Orange COE
11/9/18, Fresno COE

CASH Fall Conference

October 15-17, 2018
Hyatt Regency Newport Beach

40th Annual Conference on School Facilities

February 25-27, 2019
Sacramento Convention Center

Visit the CASH website (www.cashnet.org) for more information and to register for these events!

UPDATE

OPSC Conducts Stakeholder Meeting on Proposal to Stop Accepting Applications

On July 11, the Office of Public School Construction (OPSC) hosted its first meeting to receive stakeholder input on a proposed regulation to cease accepting applications once bond authority has been exhausted. This session was conducted after the State Allocation Board deferred action on the item at its June 27, 2018 meeting. Members of the CASH leadership team expressed strong opposition to the proposal on legal grounds and challenged the assertions made by OPSC in the item from the June 27, 2018 agenda, including rebuttals to arguments about inequity, future program enhancements, outdated eligibility, and expired state agency approvals.

Stakeholders provided over two hours of testimony and comments. Many expressed that the proposal left the impression that the state is uninterested in continuing to be a partner with local communities on school facilities. They raised issues including, but not limited to, impacts on the ability to levy Level II developer fees, impacts to local bond elections, and challenges to long-term project and financial planning.

OPSC staff indicated that they will take back and absorb the stakeholder comments, and directed attendees to the OPSC website for information about future activities on this issue. CASH has requested a second stakeholder input session for Southern California; as of this writing, a second meeting has not yet been scheduled. The item may come back to the State Allocation Board as early as August 15, 2018. CASH thanks all of our members and coalition partners who have engaged so far, and we encourage everyone to remain active in efforts to preserve the School Facility Program.

Legislative Update

The Legislature returns from a one-month summer recess on August 6. At that time, they will begin the final push of the 2018 legislative session. The Legislature has until August 31 to pass bills to the Governor for his consideration. The Governor then has until September 30 to sign or veto bills. Many bills are currently waiting to be reviewed for state fiscal impacts in the Appropriations Committee of the second house.

AB 195 Local Bond Ballot Labels

CASH has been working with a large coalition on a fix to AB 195 (Obernolte), which was chaptered into law in 2017. AB 195 requires a local ballot measure that imposes a tax or raises the rate of a tax, including a bond, to include on the ballot label the amount of money to be raised annually and the rate and duration of the tax to be levied. This is misleading and confusing to voters when applied to bonds.

We were making a push to resolve the issue before the Legislature adjourned for summer recess on July 6; however, neither the Assembly nor Senate took action by that date, which was the best opportunity to protect all bonds on the November 2018 ballot. Budget trailer bill SB 863 would provide a two-year suspension to AB 195's provisions for local bonds, allowing time to pursue a permanent policy resolution through the regular legislative process next year while protecting November 2018 bonds. The Legislature was awaiting assurance from the Governor that he would sign SB 863 before putting the bill up for a vote; that assurance did not come before the summer recess.



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There have been some suggestions that action in early August could still be possible. The legislative procedures and timelines make it very difficult for the Legislature to adopt and for the Governor to sign a bill prior to the deadline for schools to file local bond resolutions, which is August 10. Politically, it remains to be seen if the Administration would be willing to support action in early August. If your school district is considering a bond this November, we encourage you to remain in close communication with your bond counsel and political consultants on this issue.

AB 2249 (Cooley) – CUPCCAA

This bill increases the dollar amount of projects that may be performed pursuant to the CUPCCAA from \$45,000 to \$60,000, increases the informal bidding threshold from \$175,000 to \$200,000, and increases the formal bidding threshold from \$175,000 to \$200,000. The bill also allows a public agency to exceed the \$200,000 threshold and award a contract at \$212,000 or less in cases where all bids exceed \$200,000 and the governing body approves the higher amount by adopting a resolution by four-fifths votes and determines the public agency's cost estimate was reasonable. AB 2249 was approved on Consent in the Assembly and now moves to the Senate. CASH has a support position on this bill.

Storm Water Mitigation and Schools: SB 541 Implementation and Outreach Workshops

In 2017 the Legislature approved, and the Governor signed, SB 541 which requires the State Water Resources Control Board (SWRCB), the Division of the State Architect (DSA) and the California Department of Education (CDE) to develop storm water Best Management Practices (BMPs) for schools so there is a plan in place when the MS4 Permit is approved and schools must comply with the Permit. The three agencies are in the process of coordinating and the Office of Water Programs has been hired to develop the BMP manual for school schools, which should be available later in 2018. In addition, CASH continues to assist the SWRCB in scheduling outreach workshops at county offices of education across the state to ensure that school facility and maintenance practitioners have a voice in the development of the MS4 Permit.

CASH August Workshop: Critically Important Changes in CEQA Law That Will Impact and Challenge School District Compliance

Workshop attendees will hear about the fundamentals of the California Environmental Quality Act (CEQA). They will also learn about the various levels of investigation that are required based upon the project undertaken and the physical environment, the time frame and costs to complete the CEQA process, and the political and legal challenges that your project may face.

Also covered will be the significant changes coming to CEQA's substantive and procedural requirements—including a major update to the guidelines that will be adopted this year. Some of these changes will favor school projects, and others may make your job tougher. The most critical expected changes are in the way traffic is evaluated—and these will be momentous. During this workshop, there will be a group break-out in order to facilitate a deeper understanding of CEQA.

Be sure visit the CASH website to register for this workshop today!



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UPDATE

Join your Fellow School Facility Professionals at a CASH Networking Mixer!

Mixers take place across California and are open to all school facilities professionals, no RSVP required.

Thursday, August 16, 2018 – Redondo Beach

4:00 p.m. – 7:00 p.m.
 Bluewater Grill
 665 N Harbor Drive
 Redondo Beach, CA 90277

Sponsored by: Atkinson Loya Ruud & Romo | Balfour Beatty | DLR Group

Wednesday, September 12, 2018 – Irvine

5:00 p.m. – 7:00 p.m.
 El Torito
 18512 MacArthur Blvd. (Across the street from John Wayne Airport)
 Irvine, CA

Questions about the CASH Networking Mixers? Please contact Mike Vail at (949) 498-8993 or mgvailsanclemente@sbcglobal.net.

For the latest updates on important matters affecting school facilities, be sure to check out the *NEW* CASH website, www.cashnet.org.

CASH is on Facebook! Click the Facebook link on the CASH homepage to connect with us. You can also follow us on Twitter at @CASHFacilities.