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# County School Facilities Consortium 2015 Annual Summit

September 24 – 25, 2015  
Holiday Inn Capitol Plaza  
300 J Street  
Sacramento, CA

## **State School Bond Efforts and Political Climate**

*Tony Russo*  
Partner, Russo Miller & Associates

*Rebekah Cearley*  
Legislative Advocate, County School Facilities Consortium



# State School Bond Efforts and Political Climate

CSFC 2015 Annual Summit  
September 24, 2015

Rebekah Cearley, CSFC  
Tony Russo, Russo Miller & Associates

## Presentation Overview

- ▶ Governor's position on future facilities funding
- ▶ Californians for Quality Schools Initiative
- ▶ CSFC's Position and Strategic Plan
- ▶ Legislative Engagement



## School Bond Timeline – 2013–15

- ▶ January 2013: Governor Brown asks “What role, *if any*, the State should play in funding school facilities?” (2013–14 Budget Proposal)
- ▶ 2013: SAB Program Review Subcommittee considers potential reforms to the SFP
- ▶ 2014: AB 2235 (Buchanan/Hagman)
- ▶ January 2015: Californians for Quality Schools files initiative
- ▶ February 2015: Legislative Informational hearings on facilities
- ▶ 2015: Three bond bills introduced



## Governor's Position

- ▶ Concerns with current facilities funding program:
  - Over-reliance on State debt financing – “wall of debt”
  - Complexity and mechanics of School Facility Program
- ▶ Local funding sources should be sufficient to meet need
  - Proposition 39 (2000) – 55% vote
  - \$37.5 billion in authorized but unissued bonds remain (\$7 billion for CCC)
- ▶ Target State funds when they are necessary
- ▶ LCFF funds should be sufficient for maintenance and some capital needs



## 2014 Bond Efforts

- ▶ AB 2235 (Buchanan/Hagman)
- ▶ Originally a \$9 billion bond
  - \$6 billion for K-12
  - \$2 billion for CCC
  - \$500 million each UC & CSU
- ▶ Reduced to \$4.3 billion in the Senate
  - Different legislative priorities for SFP
- ▶ Bipartisan support, no "NO" votes in Legislature
- ▶ One vote mattered the most – the Governor
  - Did not want on the same ballot as Prop 1 (Water Bond) and Prop 2 (Rainy Day Fund)



## 2015-16 Budget Proposal

- ▶ Governor proposed to continue discussions on school facilities in FY 15-16
- ▶ Increase tools for local control:
  - Expand local funding capacity by increasing AV issuance limit caps and bonded indebtedness caps
  - Restructure developer fees – one fee level between Level 2 and Level 3
  - Flexibility for use of Routine Restricted Maintenance funds





## 2015–16 Budget Proposal, Cont'd.

- ▶ Target state funding for districts most in need (i.e. ability to pay)
  - Limit eligibility to districts with low AV
  - Prioritize health and safety, severe overcrowding
  - Sliding scale to determine state share
- ▶ No trailer bill language submitted to Legislature
- ▶ OPSC staff decreased by 37 positions in May Revision
- ▶ Governor's proposals don't help COEs



## The Paths Forward

- ▶ Two paths forward for a school bond on the ballot
  - Legislature passes a bill and the Governor signs it (legislative process)
  - Initiative – bypasses Governor & Legislature with signature-gathering
- ▶ Possible 2016 bond
  - June 2016 at the earliest – via Legislature
  - November 2016 – signature-gathering
- ▶ Proposition 30 revenue measure extension
  - CTA-led coalition filed initiative on Sept. 14, 2015





## **CALIFORNIA SCHOOL FACILITIES PROGRAM**

SB 50 – 1998, enacted the School Facilities Program (SFP); a partnership between the state, local school districts, and builders.

This successful program:

- Ended decades of conflict and litigation between school districts and builders over the appropriateness of the exactions demanded by the districts.
- Solved the school finance funding riddle via a partnership between the state, local school districts and builders - each would contribute a portion of the costs to finance the construction of school facilities.
- Provided a framework in which once a builder paid his/her portion of the school facilities fee, that payment constituted full mitigation of impacts on school facilities.



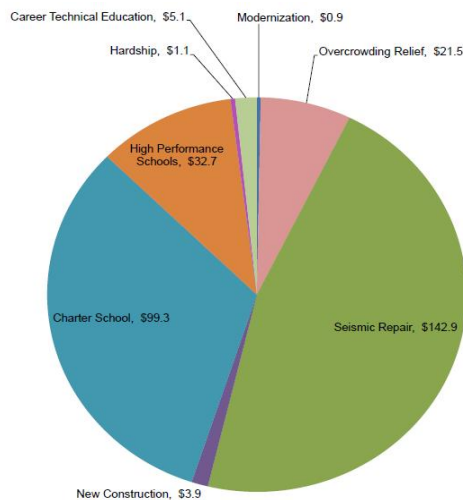
## A LOOK BACK AT BOND EFFORTS

Since 1998, Ca. voters have approved **\$35.4** billion in state general obligation bonds for K-12 facilities and **\$9.5** billion for higher education facility needs.

Ballot	Measure	Amount	% Passage
November 1998	Proposition 1A	\$9.2 billion (\$6.7 billion K-12 + \$2.5 billion Higher Ed)	62.5
November 2002	Proposition 47	\$13.05 billion (\$11.4 billion K-12 + \$1.65 billion Higher Ed)	59.1
March 2004	Proposition 55	\$12.3 billion (\$10 billion K-12 + \$2.3 billion Higher Ed)	50.9
November 2006	Proposition 1D	\$10.416 billion (\$7.329 billion K-12 + \$3.087 billion Higher Ed)	56.9



## REMAINING BONDING AUTHORITY - \$307.4 MILLION (By program, in millions) As of August 20, 2014



Remaining Bond Authority (in millions)	
Modernization	\$ 0.9
Overcrowding Relief	\$ 21.5
Seismic Repair	\$ 142.9
New Construction	\$ 3.9
Charter School	\$ 99.3
High Performance Schools	\$ 32.7
Critically Overcrowded Schools	\$ -
Hardship	\$ 1.1
Career Technical Education	\$ 5.1
<b>Grand Total</b>	<b>\$ 307.4</b>

Community Colleges \$ 0.0



## LESSON LEARNED FROM 2014

In 2014, the Coalition for Adequate School Housing and the California Building Industry Association worked to have Assembly Bill 2235 introduced – a statewide school facilities bond measure, that if approved, would have been placed on the November 2014 general election ballot.

- Bi-partisan and unanimous Legislative support
- School Facilities solution not a priority and opposed by Governor Jerry Brown
- School Bond secondary to other funding issues:
  - Balanced Budget & Wall of Debt
  - Proposition 30 Extension



### CONTRA COSTA TIMES

#### ***Dublin grapples with school overcrowding***

By Jeremy Thomas [jethomas@bayareanewsgroup.com](mailto:jethomas@bayareanewsgroup.com)

DUBLIN -- After more than a decade of pro-growth policies, combined with **Gov. Jerry Brown's decision to squash a \$9 billion school bond measure** last fall, the **chickens have come home to roost** for rapidly growing Dublin -- its two middle schools are filled to near capacity, many elementary schoolchildren are spending their days in portables, and some parents are considering moving out of the city.

According to city leaders, school overcrowding -- and the tidal wave of residential development exacerbating the problem -- is the city's No. 1 issue. The situation is so dire, Dublin Councilman Abe Gupta said he **supports a moratorium** on home construction until the infrastructure is in place to handle the influx.

Dublin Mayor David Haubert said the city has a **"de-facto moratorium"** on home building until the school dilemma is solved.

"The rules of the game changed in a really unforeseen way," Haubert said. **"We're sending the message loud and clear to the community that developers have to come up with a letter from the district that says we can accommodate your students."**



**GOVERNOR JERRY  
BROWN'S 2015  
PROPOSAL**

- Opposed to new state debt
- School mitigation fee caps lifted
- School facilities to be primarily funded at the local level



**“Control your own destiny  
or someone else will”**

***~Jack Welch***



## **STRATEGIC FRAMEWORK**

1. Model bond on California's successful school financing program
2. Qualify bond with little fanfare to frame future debate
3. Build a broad based coalition upon qualification
4. Advance earned media upon qualification
5. Prepare for campaign in 2016



## **2016 SCHOOL BOND**

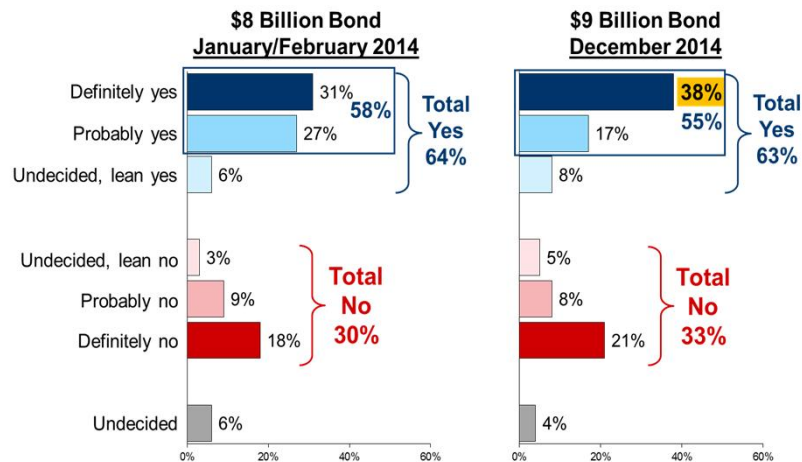
- \$9 billion K-14 School Bond – Initiative filed January 2015
- Modeled after previous, successful bonds
- Maintains current and successful school financing program
- Reviewed by experienced bond and political counsel



# Polling Results

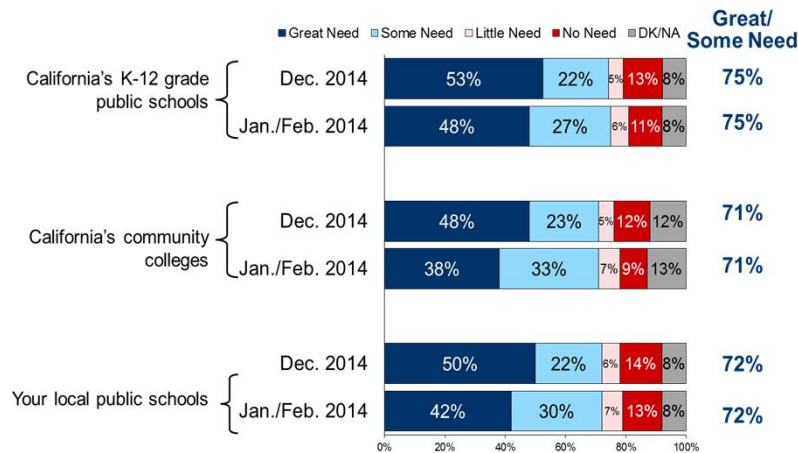


## VOTE ON STATEWIDE SCHOOL BOND MEASURE





## PERCEIVED LEVEL OF FUNDING NEED FOR PUBLIC SCHOOLS



## COLLECTING SIGNATURES

- Lee Albright of National Petition Management will be retained for signature gathering.
- Long history of success in California: Plastic Bag Ban Referendum, Props 26, 30 & 31
- NPM collected and submitted 571,291 signatures, with a validity rate of 76%
- Expect to qualify by random sample by end of September







## QUALIFICATION PROCESS

- Step One: Draft Initiative/Bond Language
- Step Two: Submit Draft Language to Attorney General (January 12)
- Step Three: AG prepares Title & Summary (est. March 13)
- Step Four: Collect Signatures – 365,880/563,000 (est. start March 20)
- Step Five: Notify Legislature 25% of required sigs – 91,470 (est. April 24)



## QUALIFICATION PROCESS

- Step Six: Submit Signatures for Verification to Counties
- Step Seven: Raw Count Verification (within 8 working days)
- Step Eight: Random Sample Qualification
- 110% of required sigs: 402,468 (30 working days)
- Step Nine: Full Check Qualification
- 100% of required sigs: 365,880 (30 working days)



- Website
- Earned Media
- Coalition Building
- Fundraising



#### **CAMPAIGN TEAM**

**Tom Ross** – Meridian Pacific, Inc.

**Tony Russo** – Russo Miller & Associates, Inc.

**Rob Stutzman/Erin Shaw** – Stutzman Public Affairs

**Tom Hiltachk** – Bell, McAndrews & Hiltachk



- Raise – \$10 million for the campaign
  - 2002: Prop 47 - \$12.8 million
  - 2004: Prop 55 - \$12.9 million
  - 2006: Prop 1D - \$11.2 million
- Build Coalition – Collect endorsements

## Discussion and Questions

### CQS Initiative – Funding Breakdown

- ▶ **\$9 Billion Bond**
  - Lock on the School Facility Program as of 1/1/15
    - Eligibility, state/local shares remain the same
  - Funds the Unfunded List and Acknowledged List
  - \$7 billion for K-12
    - \$3 billion for New Construction
    - \$3 billion for Modernization
    - \$500 million for Career Tech
    - \$500 million for charters
  - \$2 billion for Community Colleges



## Initiative Process

- ▶ LAO released pre-ballot fiscal analysis
  - \$17.6 B in GF costs to pay \$9 B in principle and \$8.6 B in interest over 35 years; annual payments of \$500 million
- ▶ New transparency provisions – SB 1253 (2014)
  - Legislative engagement to encourage negotiation
  - Hearing once 25% of signatures are gathered
  - 30-day public review period upon submittal to AG



## CSFC's Position and Strategy

- ▶ Engage with efforts on both the legislative and initiative tracks
  - CSFC supported all bond bills providing funds to COEs
- ▶ Principles for a Future State Facilities Funding Program:
  - Recognize that COEs are a critical part of education infrastructure
  - The State-Local partnership should continue.
  - COEs often lack local resources, are dependent on State program (safety net)
  - Ability to pay should be considered (ex: Financial Hardship)
  - Program should optimize opportunities for integration of special education facilities on school district sites.



## Legislative Action: Info Hearings

- ▶ Legislative informational hearings in February 2015 explored:
  - Background, history, status of SFP
  - Governor's 2015-16 budget proposal
- ▶ Education Chair positions:
  - Assemblymember O'Donnell supported a larger bond and the current SFP
  - Senator Liu agreed with the Governor – the SFP needs reform
- ▶ Education stakeholders urged:
  - Don't put facilities inside Proposition 98
  - Continue the state program
  - OK to reduce complexity of submittal/approval process



## Legislative Action: 2015 Bond Bills

- ▶ Three bond bills introduced in 2015
- ▶ **SB 114** – Senator Carol Liu
  - Silent on dollar amount
  - Amended down to K-12 only
  - Program reform:
    - Prioritize funding community centers/P3s
    - Require an inventory
    - Allow funds to be used for seismic projects
    - Provide flexibility in design
    - Create interagency streamlining group
    - Reduce RRM from 3% to 2% (amended to long-range facilities plan)
    - High performance required (to what standard?)



## 2015 Bond Bills, Cont'd.

- ▶ **AB 1088** – Assembly Member O'Donnell
  - Legislative intent for K-University bond
  - Supports \$8 billion or \$9 billion
- ▶ **AB 148** – Assembly Member Chris Holden
  - Majority Floor Leader from Pasadena
  - K-14 bond for 2016 ballot
  - Planned as bridge bond to new PAYGO system
    - ~\$1.8 billion



## Legislative Action

- ▶ Budget and legislative bill processes didn't generate a result in 2015
- ▶ Only SB 114 made it to the floor – didn't pass out of Senate
- ▶ CSFC supported all three bond bills
- ▶ There is still time
  - Legislature can act in 2016 for June or November
  - Requires a 2/3 vote and Governor signature



## Legislative Leadership & Staff Changes

- ▶ New DOF, LAO staffers on facilities issues
- ▶ Changes to legislative leadership may impact the policy landscape
  - Term limit changes – 12 years in one house
  - New Senate minority leader Jean Fuller (Bakersfield) replaced Bob Huff
  - New Assembly Speaker Anthony Rendon (LA County) replaces Toni Atkins in January
  - New Assembly minority leader Chad Mayes replaced Kristin Olsen
    - Freshman from Yucca Valley (Riverside/San Bernardino)



## Legislative Leadership



**Jeff Gorell**  
@JeffGorell

Follow

I had to google Chad Mayes

RETWEETS  
12

FAVORITES  
17



3:39 PM - 1 Sep 2015

📍 Los Angeles, CA





## LAO Report on School Facilities

- ▶ Issued February 2015
- ▶ Argues the current bond financing mechanism does not provide a stable funding source for recurring needs
- ▶ Proposed a per-student annual grant allocation
  - Calculated based on annualized "expected facility costs"
  - Target funds to districts with low AV
  - Adjust for differences in local resources
  - Use for new construction, modernization, maintenance



## What Can You Do?

- ▶ Pass a Board resolution in support of the bond
- ▶ Support the campaign effort (not on COE time)
- ▶ Public information – educate your community about facilities needs and local resources
  - Local bonds aren't sufficient to meet the need
  - COEs have unique needs, can't pass local bonds
- ▶ Help keep your districts informed!



# Questions? Comments?



## Question for Discussion

*How has a lack of certainty regarding future State bond funds impacted your COE facilities?*





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## **Review of Legislation and Legal Issues**



# Legislation & Legal Issues

Rebekah Cearley  
CSFC Annual Summit  
September 24, 2015

## Legislation: Themes

- ▶ Themes in school facilities legislation and regulatory activities:
  - Energy
  - Water
  - Environmental
  - Bond accountability/use of funds
  - School safety
  - Construction process
  - Skilled workforce
- ▶ Legislature adjourned for interim recess on Sept. 11
  - Governor has until October 11 to sign bills



## Skilled Workforce Legislation

- ▶ Three bills enact more stringent workforce provisions
  - CSFC did not have a formal position on any of them
- ▶ AB 566 (O'Donnell) – LLB
  - Signed by Governor
  - Requires the use of a skilled and trained workforce on all LLB projects
    - Apprentices and journeypersons
  - Expands prequalification for LLB projects – regardless of contract size or funding source



## Skilled Workforce Bills, Cont'd.

- ▶ AB 1358 (Dababneh) – Design-Build
  - Recasts existing design-build authorization
  - Extends sunset on DB to 2025
  - Lowers threshold for use from \$2.5 million to \$1 million
  - Requires the use of skilled and trained workforce
  - Passed by Legislature
- ▶ AB 1185 (Ridley-Thomas) – Best Value
  - Pilot program authorizing LAUSD to use a best value procurement method for projects above \$1 million
  - Requires the use of skilled and trained workforce
  - Passed by Legislature



## AB 677 (Dodd) – Door Locks

- ▶ CSFC Position: Oppose Unless Amended
- ▶ Requires interior door locks:
  - On all classrooms/rooms with occupancy of 5+ by 1/1/2022
  - For all SFP modernization projects as of 1/1/2016
- ▶ Amended to tie requirements to a future state bond funding source
- ▶ Concerns still exist and CSFC requested:
  - Striking 2022 retrofit requirement
  - Provide adjustment to per-pupil grant for modernization
- ▶ Two-year bill



## AB 1126 (Rendon) – HVAC Inspections

- ▶ CSFC Position: Oppose - coalition effort
- ▶ Requires schools to post on their website the most recent date of HVAC inspection report and info on how to obtain the report
- ▶ Bill is unnecessary because HVAC systems must be kept in good repair, should be covered in LCAP and FIT
- ▶ Two-year bill



## AB 1347 (Chiu) – Claims Process

- ▶ CSFC Position: Oppose (Now Neutral) – coalition effort
- ▶ Establishes new claims process
  - Timely payment for undisputed claim amounts
- ▶ Reasonable compromise between parties (sponsor: United Contractors & others)
- ▶ Amendments deem a claim rejected if owner does not respond within 45 days to identify disputed/undisputed amount
  - 60 days to pay undisputed amounts
- ▶ Passed by Legislature, awaiting Governor action



## SB 47 (Hill) – Artificial Turf

- ▶ CSFC Position: Oppose Unless Amended
- ▶ To limit installation of artificial turf/play surfaces with crumb rubber infill
  - Make more difficult to procure
- ▶ Requires state to study synthetic turf for potential health impacts
- ▶ We support study, oppose pre-mature limitations
- ▶ Two-year bill
  - Drought???



## AB 219 (Daly) – Concrete Delivery

- ▶ CSFC Position: Watch
- ▶ Expands the definition of “public works” to include hauling and delivery of ready-mixed concrete
  - Prevailing wage law would apply, including DIR SB 854 program
- ▶ Opponent concerns about slippery slope – what other materials would be next?
  - Drivers vs. construction workers
- ▶ Passed by Legislature



## AB 882 (Wilk) – Use of Bond Funds

- ▶ CSFC Position: Watch
- ▶ Sought to limit use of local Prop 39 bond dollars for purchase of portable electronic devices
- ▶ Amended – to ensure schools match term of bond with life of object
  - Already required in Federal tax code
- ▶ Successfully stopped bill in Senate Governance & Finance Committee
- ▶ Two-Year bill





## SB 222 (Block) – Automatic Liens

- ▶ CSFC Position: Watch
- ▶ Requires automatic statutory lien on revenues from local bond issuances
- ▶ Sponsored by San Diego USD
- ▶ Intended to improve rating agency treatment of school GO bonds
  - Lower borrowing costs?
- ▶ Signed by Governor



## SB 334 (Leyva) – Drinking Water

- ▶ CSFC Position: No position
- ▶ Drinking water from water fountains must meet US EPA standards for lead
- ▶ Schools with lead-containing plumbing components must flush drinking water sources at the beginning of each day
- ▶ Passed by Legislature



## SB 350 (De Leon) & SB 32 (Pavley) – Climate Change

- ▶ CSFC – No Position
- ▶ California's next steps to reduce greenhouse gas emissions
  - Goals to achieve by 2030 & 2050
- ▶ SB 350 – Passed by Legislature
  - Reduce petroleum use in cars by 50% - REMOVED
  - 50% of state's electricity use from renewables
  - Double energy efficiency in buildings
- ▶ SB 32 – Two-year bill
  - Cut GHG emissions below 1990 levels by 40% by 2030 and 80% by 2050



## AB 975 (Mullin) – LLB

- ▶ CSFC – No Position
- ▶ Addresses an issue raised by *Davis v. Fresno USD* Appellate Court ruling
- ▶ Gut and amend in August
  - Never scheduled for a hearing
- ▶ To prevent lawsuits for disgorgement if an agreement is invalidated
- ▶ Does not address issue of what is a true lease
  - Occupancy
  - Financing



# Regulation: Water Efficiency

- ▶ DSA irrigation efficiency regulations
  - Approved by Building Standards Commission May 29, 2015 and July 21, 2015
- ▶ Wins in stakeholder process
  - Reduced landscape project area from 100% of new building footprint to 75%
  - No longer applies to modernization ("alterations")
- ▶ There should be a comprehensive review of impacts and costs before making regulations permanent
  - 180 days from adoption
- ▶ What about COE portables on district-owned site?



*Questions?*





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**Water Conservation and Efficiency:  
New State Rules and Local Efforts**

*Jessica Bean*

Engineering Geologist, California State Water Board

*Robert Lee Chase, AIA*

California Deputy State Architect, Division of the State Architect

*Diane Waters*

Senior Architect, CDE School Facilities and Transportation Division

*David Briley*

Landscape Architect, Blair Church & Flynn Consulting Engineers



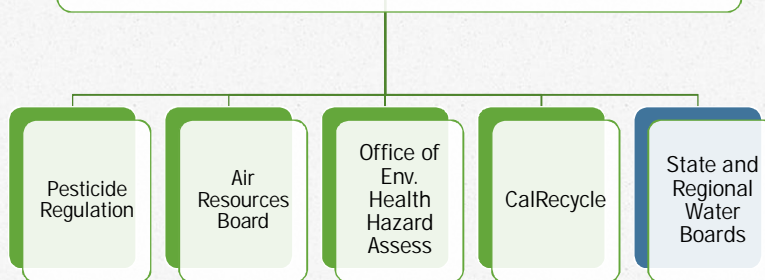
CALIFORNIA  
**Water Boards**  
STATE WATER RESOURCES CONTROL BOARD  
REGIONAL WATER QUALITY CONTROL BOARDS

## Drought Actions

Jessica Bean  
State Water Resources Control Board

September 25, 2015

## California Environmental Protection Agency



## State and Regional Water Boards

- o One State Water Board
- o Nine Regional Water Boards
- o Regional Board boundaries generally based on watersheds
- o Members of State & Regional Boards appointed by the Governor
- o State and Regional Boards are authorized to implement the federal Clean Water Act in California.



## State Water Board Programs & Focus Areas

### Programs

- o Water quality
- o Water rights
- o Drinking water systems
- o Financial assistance programs
- o Enforcement

### Focus

- o Proposition 1 Funding
- o Human Right to Water Law
- o Marijuana Cultivation
- o Groundwater Sustainability
- o Drought Response



## Folsom Reservoir



Photo Credit: San Diego Metro

## Lake Oroville



Photo Credit: San Diego Metro

## East Porterville



Images from the Los Angeles Times



## Emergency Drinking Water

### **\$1 billion emergency drought relief package**

- o \$19 million in funding to meet emergency drinking water needs.

### **Focus**

- o Disadvantaged Communities

### **Types of projects**

- o Bottled Water
- o Well Repair
- o Hauled Water
- o Treatment Systems



## Water Rights

- Water right permits specify

- season of use
- purpose of use
- place of use
- quantity of water

- Priority

- Pre-1914
- Post-1914



*Discussing Water Rights, A Western Pastime*

In times of drought and limited supply, the most recent ("junior") right holder must be the first to discontinue use.

## Water Shortage Notices (Curtailments)

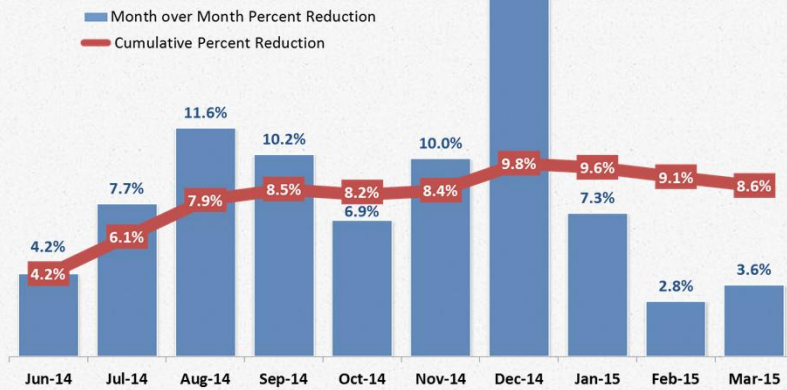
- 9,329 water rights affected by lack of supply as of March 2015

- Watersheds:

- Sacramento River
- San Joaquin River
- Delta
- Scott River watershed



### Statewide Water Conservation Results Water Production Percentage Reduction (Compared to 2013)



### 2015 Emergency Rulemaking

**April 1<sup>st</sup>**

-Executive Order mandated 25% statewide urban conservation

**May 18<sup>th</sup>**

-Emergency Conservation Regulation went into effect (270 days)

**June 1<sup>st</sup>**

-Conservation standards went into effect (percent reductions)

## Emergency Conservation Regulation- Prohibited for All Californians

1. Irrigation runoff
2. Washing vehicles without auto shutoff nozzle
3. Washing driveways and sidewalks
4. Fountains without recirculation systems
5. Irrigating during or 48 hours after rain event
6. Irrigating turf on street medians
7. Irrigating landscapes of newly constructed homes and businesses without drip or microspray

## Emergency Conservation Regulation- Required for Businesses

- o Hotels and Motels
  - o Options for laundering linens
- o Restaurants
  - o Water on request
- o Self-supplied
  - o Conservation actions
- o Small water suppliers (>3,000 connections)
  - o Conservation actions and reporting





## Emergency Conservation Regulation- Required for Urban Water Suppliers

### Meet a conservation standard

- o 4% to 36% (statewide = 25%; 1.2 MAF or 391 billion gallons)
- o 2013 baseline for measuring compliance (June 2015-Feb. 2016)
- o Tiers base on Summer 2014 residential per capita use

### Report monthly

- o Potable water production
- o Residential use (R-GPCD)
- o Commercial, institutional, and industrial (CII) use
- o Enforcement actions

### Meeting the standard

- o Suppliers have flexibility in how they save water.

## What does this mean for schools?

- o All school facilities
  - o Comply with requirements for All Californians
- o Water provided by urban supplier
  - o Follow requirements of water supplier
    - o Conserve required percent
    - o Follow outdoor water limits
  - o May have different requirements for schools
- o Water provided by small supplier
  - o Follow requirements of water supplier
    - o Conserve 25% and/or limit irrigation of ornamental turf to two days/week
  - o Supplier may impose additional restrictions
- o Water is self-supplied
  - o Conserve 25% and/or limit irrigation of ornamental turf to two days/week

What are schools doing to save?  
Outdoors

- o Selective watering (prioritize functional turf)
- o Work with water suppliers to develop alternate watering schedules (flexibility to achieve reductions)
- o Repair and replace leaking irrigation
- o Install smart irrigation controllers
- o Convert sprinklers to drip irrigation
- o Replace/remove non-functional turf
- o Add Mulch around plants and trees

What are schools doing to save?  
Indoors

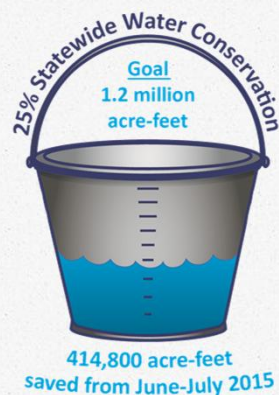
- o Replace high water use toilets and urinals
- o Update plumbing for low flow
- o Repair leaking faucets and pipes
- o Add aerators to faucets
- o Use institutional rebates

## What are schools doing to save? Outreach and Education

- o Increase employee awareness of water efficient practices
- o Send employees to water conservation training
- o Send notices home to parents
- o Post signs around campuses
- o Information on school websites
- o Rainwater reclamation projects with students
- o Water conservation student groups
- o Water Conservation lessons and activities
- o Water Conservation science fair topics
- o Partner with water supplier to provide information at school events

## How are we doing?

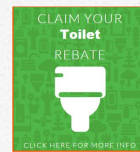
- o June savings = 27.5%
- o July Savings = 31.3%
- o June-July = 29.5%
  - o 414,800 acre-feet (135.2 billion gallons)
  - o 35% towards goal of 1.2 million acre-feet
- o Typically, the majority of savings will occur during summer months





## Additional Conservation Resources

- o [SaveWater.ca.gov](http://SaveWater.ca.gov)
- o **Turf Removal Rebates (DWR)**  
[Saveourwaterrebates.com/turf-replacement-rebates.html](http://Saveourwaterrebates.com/turf-replacement-rebates.html)
- o **Appliance Rebates (CEC)**  
[Saveourwaterrebates.com/toilet-rebates.html](http://Saveourwaterrebates.com/toilet-rebates.html)
- o **Water-Energy Technology Program (CEC)**  
[Energy.ca.gov/wet/](http://Energy.ca.gov/wet/)
- o **Conservation Water Pricing (State Water Board)**  
[Waterboards.ca.gov/waterrights/water\\_issues/programs/drought/pricing/](http://Waterboards.ca.gov/waterrights/water_issues/programs/drought/pricing/)



## Moving Forward



## Moving Forward

o Conservation



## Moving Forward

o Conservation

o Drought



## Moving Forward

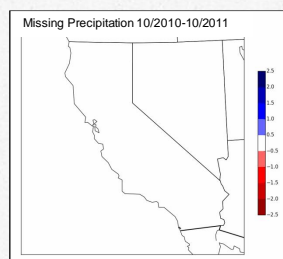
○ Conservation

○ Drought

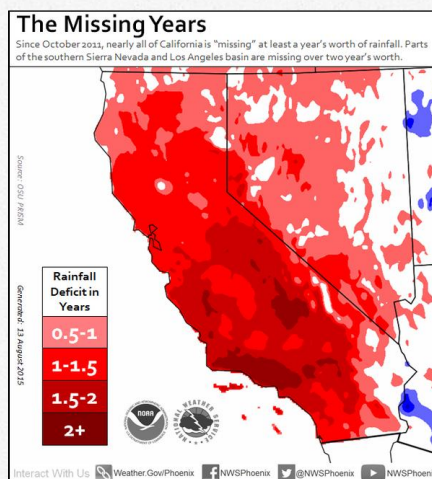
○



## How much rain do we need?



Credit:  
Paul Iniguez, NOAA/NWS



### 4 year precipitation since January 2011

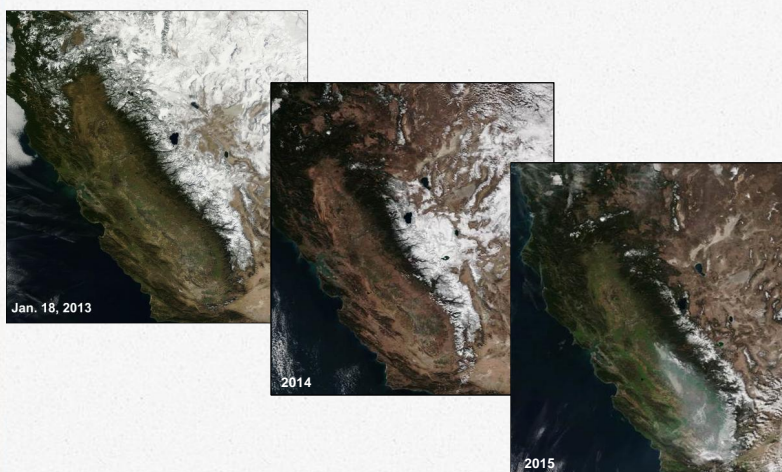
Station	Average Annual Precip.	14/15 Season Precip.	4 year Precip. 1/1/11-8/31/15	Deficit	Needed by 9/30/16
Santa Ana (Fire stn)	13.63	7.01 (51%)	30.97	33.13 (2.5 seasons)	46.98

### El Nino Stats 1951-present

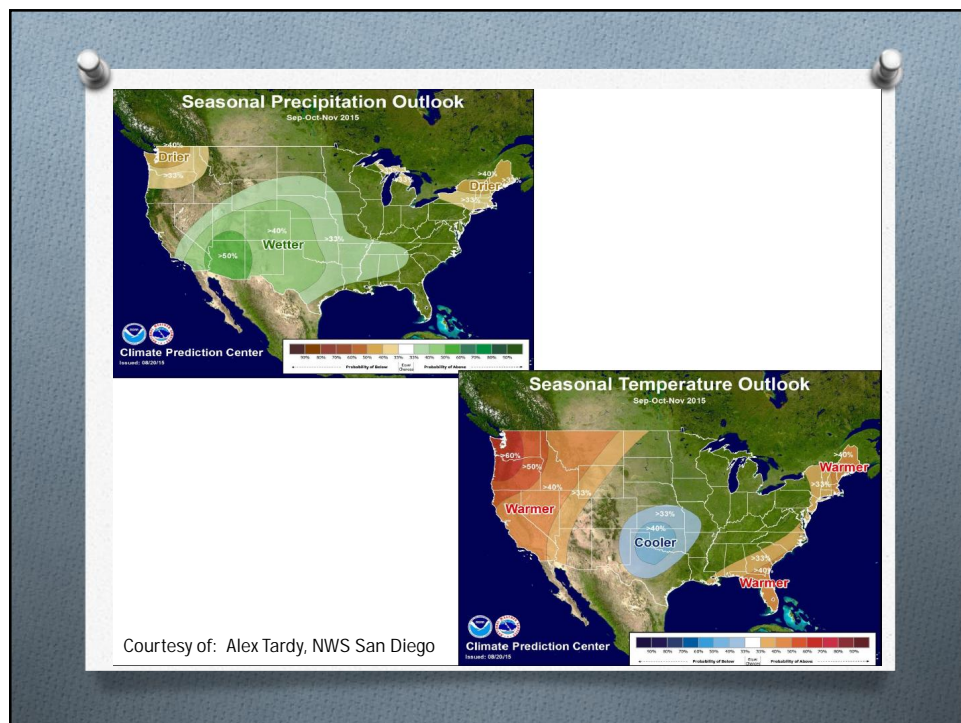
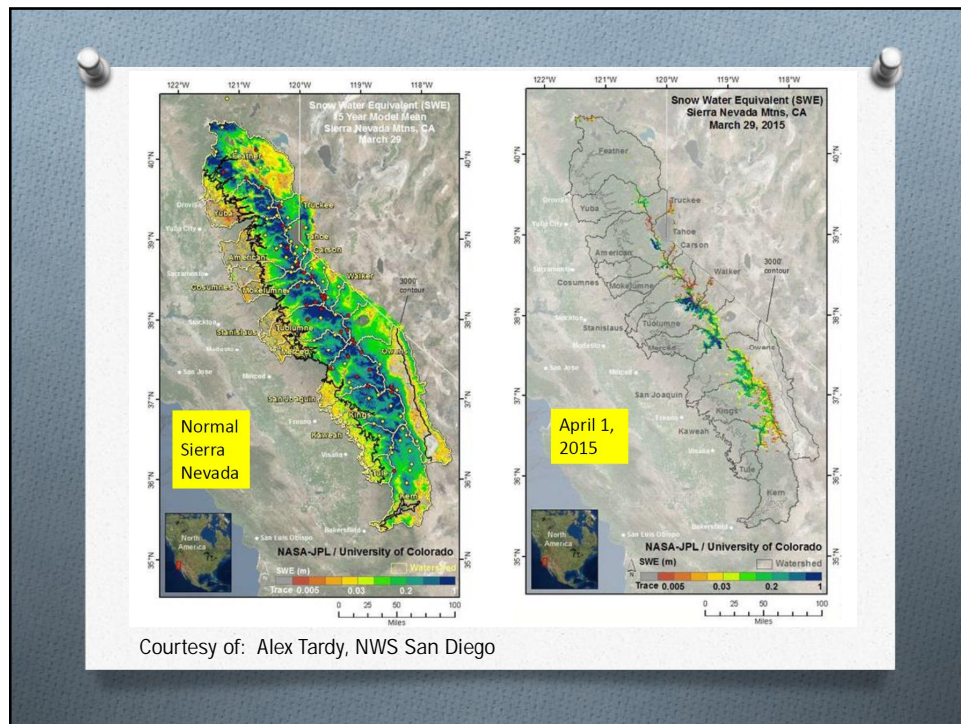
Average rainfall during El Nino	Range of rainfall during El Nino	1997/98	1982/83	1972/73
11.98	3.80-17.83	16.19	17.83	10.97

Credit: Alex Tardy, NWS San Diego

### January Snowpack







## NWS Summary

- o To end drought- 150% of normal precipitation + above normal snow pack
- o Good chance of Strong El Nino
  - o Strong El Nino correlates to above normal precipitation in So-Cal
  - o El Ninos can be unpredictable
  - o Precipitation deficits are unlikely to be met with one El Nino- drought is likely to continue

## Next Steps

- o Message the importance of conservation during cooler months and heavy rains
- o Potential for extending the emergency regulation
- o Conservation as a way of life
- o [Saveourwater.com](http://Saveourwater.com)



Jessica Bean  
Engineering Geologist  
Office of Research, Planning and Performance  
[Jessica.bean@waterboards.ca.gov](mailto:Jessica.bean@waterboards.ca.gov)



# CSFC Annual Summit

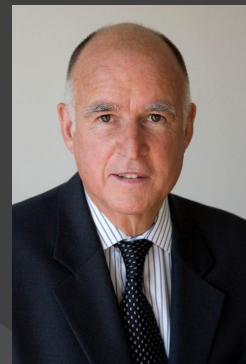
September 25, 2015

**Robert Lee Chase, AIA**  
Deputy State Architect



## GOVERNORS EXECUTIVE ORDER

*// In almost every way conceivable, Californians have to get used to a very different world, and we're going to have to live just a little bit differently. //*



## CALIFORNIA BUILDING CODE

### TITLE 24

- ◉ Building Standards Commission
  - > CALGreen.
- ◉ Dept. of Housing & Community Development
- ◉ Office of Statewide Health Planning & Development
- ◉ Division of the State Architect

## DEPARTMENT OF WATER RESOURCES

### TITLE 23

- ◉ Model Water Efficient Landscape Ordinance (MWELO)
  - > Structure
    - Planning and Designing
    - Installation and Maintenance
    - Managing
  - > Calculator
- ◉ Evapotranspiration Adjustment Factor (ETAF)
- ◉ Special Landscape Areas

## MWELO

- Housing and Community Development  
ETAF: .55
- Building Standards Commission  
ETAF: .45
- OSHPD: Require local agency review  
and approval
- Division of the State Architect  
ETAF: .65

## INCLUDED K–12 AND COMMUNITY COLLEGE PROJECTS

- All New or Rehabilitated Landscape and Irrigation
- New Campuses
- New Buildings on Existing Campuses



## LANDSCAPE IRRIGATION REQUIREMENTS-1

- ◎ All landscaping on new campuses **must** be 100% in compliance with MWELo requirements
  - ETAF for general landscape areas adjusted from 0.55 to 0.65
  - *Additional* water allowance of 0.35 for Special Landscape Areas
  - ETAF for Special Landscape Areas of 1.0

## LANDSCAPE IRRIGATION REQUIREMENTS-2

- ◎ On existing campuses, compliance with the MWELo is required for:
  - New landscape irrigation projects over 500 SF
  - Rehabilitated landscape irrigation projects over 750 SF
  - Projects >500 SF and <2,500 SF may use prescriptive compliance method of MWELo Appendix D



## LANDSCAPE IRRIGATION REQUIREMENTS-3

- ◉ Rehabilitated landscape area requirements on existing campuses:
  - Triggered by new building or addition to an existing building of >1,000 SF
  - Existing landscape area equal to 75% of new building footprint or building addition footprint:
    - Must be upgraded to comply with 2015 MWELO
    - May be located on any campus within the district
    - May include existing landscape area removed from service

## THINK DISTRICT–NOT CAMPUS

- ◉ Goal is the district's reduction of water usage
- ◉ Required landscape rehabilitation projects can be located in a variety of places:
  - Adjacent to construction project
  - Elsewhere on the campus
  - Anywhere on other district campuses

## THINK DISTRICT–NOT CAMPUS

- Credit will be given for MWELO-compliant stand alone landscape irrigation projects for future construction projects
- If new building is placed on existing landscaped area, there is no requirement for additional landscape irrigation rehabilitation

## SELF CERTIFICATION

- Design Professional
  - Architect
  - Landscape Architect
  - Civil Engineer
- Requirements
  - At submittal: Certification that design meets MWELO requirements
  - At completion: Certification that construction conforms to MWELO requirements



*“ DSA: A partner in the design and construction of great and safe schools. ”*



## CASE STUDIES IN SCHOOL ENERGY & WATER REDUCTION

7 ARCHITECTS 7 SCHOOLS 7 SOLUTIONS

## STATEWIDE SAVINGS

12,000 Campuses  
X 3 Buildings/Campus

## STATEWIDE SAVINGS

12,000 Campuses  
X 3 Buildings/Campus  

---

= **36,000 Buildings**

## STATEWIDE SAVINGS

$$\begin{array}{r} 36,000 \text{ Buildings} \\ \times \$10,000/ \text{ Building /Year} \\ \times 10 \text{ Years} \\ \hline = \$3.6 \text{ Billion} \end{array}$$

## STATEWIDE SAVINGS

$$\begin{array}{r} 36,000 \text{ Buildings} \\ \times \$5,000/ \text{ Building/ Year} \\ \times 10 \text{ Years} \\ \hline = \$1.8 \text{ Billion} \end{array}$$



## TENTATIVE SCHEDULE

- RFQ Submission: August 21, 2015
- A/E Selection: 2<sup>nd</sup> wk. of September
- Statewide Presentations: 3<sup>rd</sup> & 4<sup>th</sup> wk. of January
- Call to Action Event: 4<sup>th</sup> wk. of February





## PROPOSITION 39 FUNDING POTENTIAL

- ◉ Program still active for several more years
- ◉ Currently, not as much funding request has been received as initially anticipated
- ◉ Considerable grant monies still available





CASE STUDIES IN  
**SCHOOL ENERGY &  
WATER REDUCTION**

7 ARCHITECTS 7 SCHOOLS 7 SOLUTIONS



**Robert Lee Chase, AIA**

*Deputy State Architect*

[bob.chase@dgs.ca.gov](mailto:bob.chase@dgs.ca.gov)  
(916) 323-7344





# DROUGHT RESPONSE BEST PRACTICES FOR CALIFORNIA SCHOOLS

STRATEGIES FOR REDUCED WATER USAGE



## EXECUTIVE ORDER B-29-15

- RESTRICTIONS TO ACHIEVE 25% OVERALL REDUCTION
- THESE REDUCTIONS MAY BE HIGHER OR LOWER DEPENDING ON YOUR LOCATION (8% - 36%)
- SCHOOLS MUST REDUCE WATER USE - EXECUTIVE ORDER APPLIES TO SCHOOLS



# WHAT CAN SCHOOLS DO TO REDUCE THEIR WATER USAGE?



- PLANNING
- PLAY FIELDS
- ORNAMENTAL LANDSCAPING
- BUILDING USE
- MAINTENANCE
- EDUCATION



## PLANNING



- CONTACT YOUR WATER PURVEYOR(S) TO DISCUSS AVAILABLE RESOURCES
- BENCHMARK EXISTING WATER USAGE
- CONSIDER INSTALLING SEPARATE METERS FOR INDOOR AND OUTDOOR USE
- ESTABLISH PRIORITIES FOR WATER CONSERVATION
  - PLAY FIELDS AND OTHER EDUCATIONAL SPACES
  - ORNAMENTAL LANDSCAPING
  - BUILDING USES
  - RAIN CATCHMENT/RECYCLED WATER SYSTEMS
  - SUSTAINABLE SITES – LOW IMPACT DEVELOPMENT





## PLAY FIELDS

- PLAY FIELDS ARE REQUIRED EDUCATIONAL SPACES & MUST BE MAINTAINED FOR SAFETY
- STRATEGIES TO REDUCE WATER USAGE IN PLAY FIELDS
  - FIELD USE ADJUSTMENTS/CONSOLIDATE FIELDS
  - AERATE SOIL
  - PLANT DROUGHT-TOLERANT GRASS VARIETIES
  - USE AN IRRIGATION MANAGEMENT SYSTEM/MOISTURE SENSORS
  - WATER EARLY MORNING OR AFTER SUNSET TO REDUCE EVAPORATION
  - AVOID WATERING ON WINDY DAYS
  - WATER DEEPLY, LESS FREQUENTLY TO DEVELOP DEEPER ROOTS
  - ADJUST FERTILIZERS DURING WARMER MONTHS TO OPTIMIZE PLANT HEALTH
  - ALLOW GRASS TO GROW LONGER, ESPECIALLY DURING THE SUMMER



## ORNAMENTAL LANDSCAPING

- CONSIDER REPLACING ORNAMENTAL TURF WITH DROUGHT-TOLERANT LANDSCAPING
- MAINTAIN TREES – SEPARATE IRRIGATION
- MULCH AROUND PLANTING AREAS
- USE PERMEABLE SURFACES FOR GROUNDWATER RECHARGE



## BUILDING USE



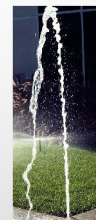
- INSTALL HIGHER ACCURACY AUTOMATIC FLUSH TOILETS
- REPLACE OLDER PLUMBING FIXTURES WITH NEWER, WATER-EFFICIENT FIXTURES
- CONSIDER USING WATERLESS URINALS
- REPLACE SINK AERATORS, SHOWER HEADS, AND OTHER FITTINGS WITH LOW-FLOW FITTINGS
- USE METERED OR OPTICAL-SENSOR FAUCETS
- INSTALL INSTANT-HOT WATER HEATERS
- CONSIDER USING GRAY-WATER OR RECYCLED WATER SYSTEMS



## MAINTENANCE



- REPAIR AND ADJUST IRRIGATION SYSTEMS
- REPLACE SPRINKLER HEADS WITH LOW-FLOW SPRINKLERS
- CAP OR PLUG UNNECESSARY SPRINKLERS
- CREATE A PROACTIVE LEAK-DETECTION SYSTEM
- CREATE A WEB PAGE AND PHONE HOTLINE TO REPORT BROKEN SPRINKLERS
- ADJUST STAFFING/COMMUNICATIONS SO REPORTED LEAKS ARE REPAIRED QUICKLY



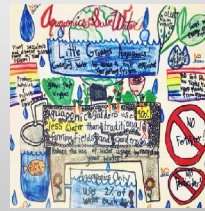


## EDUCATION

- INCORPORATE WATER CONSERVATION INTO THE CURRICULUM
- INFORM THE PUBLIC OF WATER CONSERVATION EFFORTS
- USE SIGNAGE TO TEACH STUDENTS AND PUBLIC ABOUT WATER WISE LANDSCAPING



SUCCESSES



## RESOURCES



- [HTTP://WWW.CDE.CA.GOV/LS/FA/SF/BPDROUGHT.ASP](http://www.cde.ca.gov/ls/fa/sf/bpdrought.asp)
- [HTTP://WWW.STMA.ORG/SITES/STMA/FILES/STMAPCIBROCHURE\\_FIRSTED\\_FINAL.PDF](http://www.stma.org/sites/stma/files/stmapcibrochure_firsted_final.pdf)
- [HTTP://WWW.DOCUMENTS.DGS.CA.GOV/DSA/PUBS/10-TIPS\\_SCHOOLWATERCONSERVATION.PDF](http://www.documents.dgs.ca.gov/dsa/pubs/10-TIPS_SCHOOLWATERCONSERVATION.PDF)
- [HTTP://UCANR.EDU/NEWS/DROUGHT/](http://ucanr.edu/news/drought/)
- [HTTP://WWW.STMA.ORG/PLAYING-CONDITIONS-INDEX-PCI](http://www.stma.org/playing-conditions-index-pci)
- #WATERWISESCHOOLS ON TWITTER





# CONTACT

CALIFORNIA DEPARTMENT OF EDUCATION  
SCHOOL FACILITIES AND TRANSPORTATION SERVICES DIVISION

DIANE WATERS, SENIOR ARCHITECT

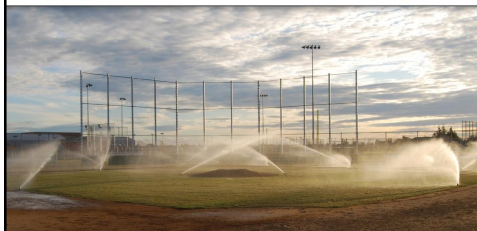
916-327-2884

[DWATERS@CDE.CA.GOV](mailto:DWATERS@CDE.CA.GOV)





## LANDSCAPE MANAGEMENT STRATEGIES FOR LIMITED RESOURCES



Presented by: **David Briley, MLA**



## WELCOME



- 1) Background Concepts
- 2) 3M Approach
- 3) Water Saving Actions
- 4) Cost Saving Scenarios

LANDSCAPE MANAGEMENT STRATEGIES



## BACKGROUND

### ET

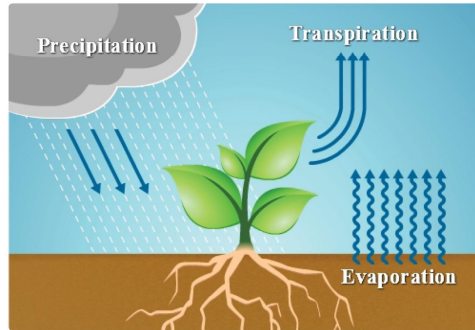
#### Evapotranspiration

(ET) is the loss of water (inches) to the atmosphere by the combined processes of evaporation (from soil and plant surfaces) and transpiration (from plant tissues).

#### Plant Coefficient

**K** is the percent of reference ET that is needed to maintain health, appearance and reasonable growth (WUCOLS IV).

[www.water.ca.gov/wateruseefficiency/publications](http://www.water.ca.gov/wateruseefficiency/publications)  
[ucanr.edu/sites/WUCOLS](http://ucanr.edu/sites/WUCOLS)



LANDSCAPE MANAGEMENT STRATEGIES

## BACKGROUND



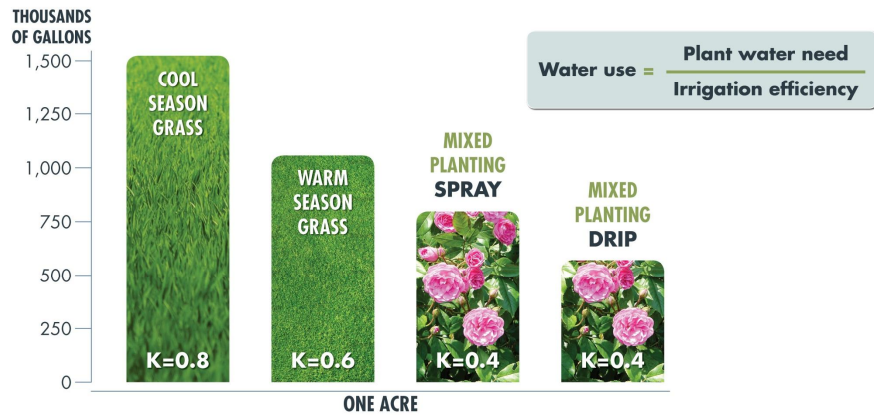
### ET Annual Evapotranspiration Rate Map - **CIMIS**

California Irrigation Management  
Information System

[www.cimis.water.ca.gov](http://www.cimis.water.ca.gov)

LANDSCAPE MANAGEMENT STRATEGIES

# BACKGROUND



LANDSCAPE MANAGEMENT STRATEGIES (K = Plant coefficient)

# BACKGROUND

## Water Use Calculations

Model Water Efficient Landscape Ordinance (MWELO)

- Maximum Applied Water Allowance (MAWA)
- Estimated Total Water Use (ETWU)
- ETWU is less than MAWA

LANDSCAPE MANAGEMENT STRATEGIES

# BACKGROUND

## Water Use Calculations

$$\text{MAWA} = \text{ET} \times \text{Planting Area} \times \text{ET Adjustment Factor}$$

$$\text{ETWU} = \text{ET} \times \frac{\text{Planting Area} \times \text{Plant Factor (K)}}{\text{Irrigation Efficiency}}$$

### ET Adjustment Factor

Schools	0.65
Residential	0.55
Commercial	0.45

### Irrigation Efficiency

Overhead Spray	0.75
Low Volume (Drip)	0.81

LANDSCAPE MANAGEMENT STRATEGIES

# 3M APPROACH

## MEASURE



## MANAGE



## MAINTAIN



LANDSCAPE MANAGEMENT STRATEGIES

# MEASURE



## Measurement

- Separate service for irrigation
- Flow monitoring capable controllers
- Flow meter / master valve

LANDSCAPE MANAGEMENT STRATEGIES

# MANAGE

Use  **SmartWater**  
APPLICATION TECHNOLOGIES®



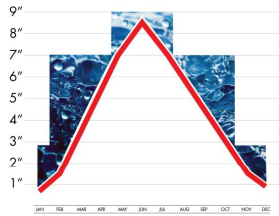
[www.irrigation.org/SWAT/](http://www.irrigation.org/SWAT/)

LANDSCAPE MANAGEMENT STRATEGIES

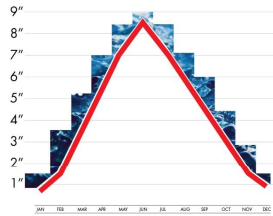
# MANAGE

## Adjust to ET to save water and money

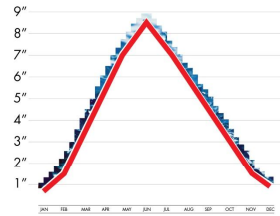
ET 



QUARTERLY



MONTHLY



WEEKLY

[www.cimis.water.ca.gov](http://www.cimis.water.ca.gov)

LANDSCAPE MANAGEMENT STRATEGIES

# WATER SAVING ACTIONS

Basic Practices



System Upgrades



Community Outreach



LANDSCAPE MANAGEMENT STRATEGIES



## BASIC PRACTICES

**Perform periodic system checks and make operational adjustments**



LANDSCAPE MANAGEMENT STRATEGIES

## BASIC PRACTICES

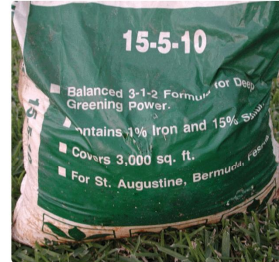
**Mulch to minimize soil evaporation and reduce weeds**



LANDSCAPE MANAGEMENT STRATEGIES

## BASIC PRACTICES

Improve plant and soil health with  
regular cultural practices



LANDSCAPE MANAGEMENT STRATEGIES

## BASIC PRACTICES

Capture and retain rainfall on site



LANDSCAPE MANAGEMENT STRATEGIES



# SYSTEM UPGRADES

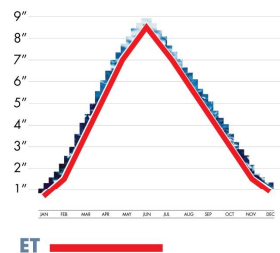
Use Smart technology to monitor and manage



LANDSCAPE MANAGEMENT STRATEGIES

# SYSTEM UPGRADES

AUTOMATE ET ADJUSTMENTS WITH WEATHER SENSORS



[www.cimis.water.ca.gov](http://www.cimis.water.ca.gov)

LANDSCAPE MANAGEMENT STRATEGIES

## SYSTEM UPGRADES



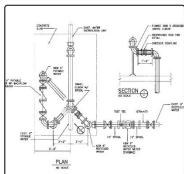
- Base irrigation zones on similar water needs/conditions
- Use low water use shrubs and ground covers
- Minimize non-recreational and non-critical turfgrass areas
- Provide a separate valve and watering program for trees
- Convert overhead spray zones in planting beds to low volume drip

LANDSCAPE MANAGEMENT STRATEGIES

## SYSTEM UPGRADES

### Utilize Alternative Water Sources if Available RECYCLED WATER RETROFIT

Cross-Connection Control  
& Domestic Separation



System  
Modifications



Marking  
& Signage



Inspection  
Program



LANDSCAPE MANAGEMENT STRATEGIES

## SYSTEM UPGRADES

**Use Central Control Systems for multiple site management with shared resources**



LANDSCAPE MANAGEMENT STRATEGIES

## COMMUNITY OUTREACH

- Develop informational articles in local or school newsletter/media about your water conservation efforts



- Install onsite signage to educate and raise awareness



- Provide a water hotline or website for neighbors to report leaks or system problems.



Save Our  
Water 

LANDSCAPE MANAGEMENT STRATEGIES

## COST SAVING SCENARIOS



### Cost Saving Scenarios - BASIC

HIGH SCHOOL EXAMPLE = \$44,100/yr

	Implementation Cost	Water Cost Savings
Assess & adjust	3 x 16 hrs = 48 hrs @ \$32/hr = <b>\$1,536</b>	<b>10%</b> <b>\$4,400</b>
Mulch mixed planting beds	20KSF x \$0.10 = <b>\$2,000</b> Add 1" per year to 25% of beds 32 hrs @ \$28/hr = <b>\$896</b>	
	<b>\$4,432</b>	
		<b>ROI = 1 year</b>

LANDSCAPE MANAGEMENT STRATEGIES

## COST SAVING SCENARIOS



### Cost Saving Scenarios - UPGRADES

HIGH SCHOOL EXAMPLE = \$44,100/yr

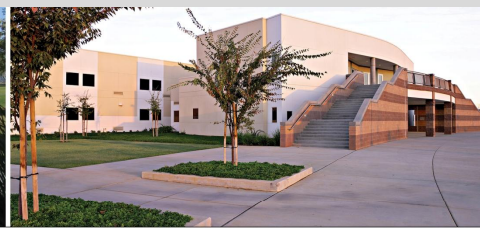
	Implementation Cost	Water Cost Savings
Central base station software	\$8,000	<b>25%</b> <b>\$11,000</b>
Satellite Controllers (4)	\$24,000	
Radio communications	\$2,000	
Master valve/flow sensor	\$5,000	
Weather station	\$5,000	
	<b>\$44,000</b>	<b>ROI = 4 years</b>

LANDSCAPE MANAGEMENT STRATEGIES

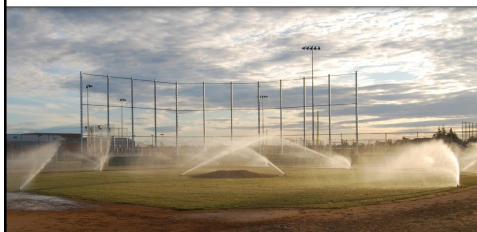
# REVIEW



- 1) Background Concepts
- 2) 3M Approach
- 3) Water Saving Actions
- 4) Cost Saving Scenarios



## LANDSCAPE MANAGEMENT STRATEGIES FOR LIMITED RESOURCES



### QUESTIONS?





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## County School Facilities Consortium 2015 Annual Summit

September 24 – 25, 2015  
Holiday Inn Capitol Plaza  
300 J Street  
Sacramento, CA

### **Good Repair and the County Oversight Role**

*David Sapp*  
Director of Education Advocacy/Legal Counsel,  
American Civil Liberties Union of Southern California



# The Good Repair Standard & LCAPs: Advocating for Investment in School Facilities

David Sapp, Director of Education Advocacy,  
ACLU of California  
dsapp@acluca.org

September 2015

CSFC Summit



More information at: [www.aclusocal.org/lcff](http://www.aclusocal.org/lcff)

## Roadmap for Today's Presentation

- What is Local Control Funding Formula (LCFF)?
- School Facilities in the LCAP
- Using the LCAP as an Advocacy Tool for Investing Appropriately in School Facilities

## What is the Local Control Funding Formula (LCFF)?



## What is the Local Control Funding Formula (LCFF)?



LCFF was passed in July 2013.

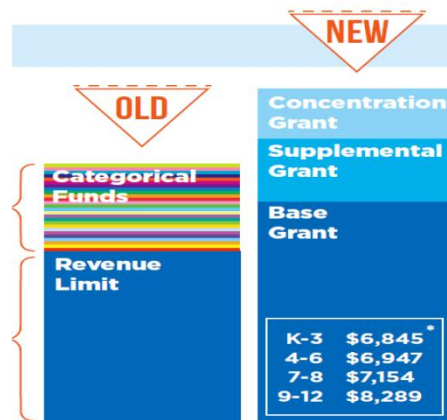
LCFF completely changes the way California funds and manages its public schools.

The changes fall into three main areas:

1. Single formula for giving money to LEAs
2. Equity principle (students with greater needs require more resources) in the single formula
3. Local flexibility, with stakeholder engagement requirements

## What is the Local Control Funding Formula (LCFF)?

### 1. Single formula for giving money to LEAs



## What is the Local Control Funding Formula (LCFF)?

### 2. Equity principle in the single formula

"Equal treatment for children in unequal situations is not justice."

-- Governor Jerry Brown, January 24, 2013

## What is the Local Control Funding Formula (LCFF)?

### 3. Local flexibility with stakeholder engagement requirements

- LEAs must adopt three-year Local Control Accountability Plan (LCAP) and update it annually
  - LCAP must set goals for all students and student subgroups
  - LCAP must identify actions and expenditures to achieve each goal
  - Goals must address 8 state priority areas (10 for counties), including each metric identified in statute for each priority area

## What is the Local Control Funding Formula (LCFF)?

### STATE PRIORITIES

Districts must set annual goals in 8 State Priority areas

- 1 **Basic Necessities** *Qualified and properly assigned teachers, sufficient instructional materials, facilities in good repair*
- 2 **Implementation of Common Core State Standards**
- 3 **Parental Involvement**
- 4 **Student Achievement** *Statewide assessments, API, EL reclassification rate, college preparedness, etc.*
- 5 **Student Engagement** *Attendance rates, dropout rates, graduation rates, etc.*
- 6 **School Climate** *Suspension and expulsion rates, etc.*
- 7 **Access to Courses**
- 8 **Other student outcomes in subject areas**

### LOCAL PRIORITIES

Districts can also establish local priority areas

### STUDENT SUBGROUPS

Districts must set distinct goals for all **numerically significant** subgroups (at least 30 students, or 15 for foster youth).

#### Racial / Ethnic Subgroups:

Black or African American  
American Indian or Alaska Native  
Asian  
Filipino  
Hispanic or Latino  
Native Hawaiian or Pacific Islander  
White  
Two or more races

#### Other Subgroups:

Socioeconomically disadvantaged  
English learners  
Students with disabilities  
Foster youth



## What is the Local Control Funding Formula (LCFF)?

### 3. Local flexibility with stakeholder engagement requirements

- ▣ LEAs must consult stakeholders, including students and parents/guardians, in developing LCAP
  - Law identifies minimum requirements for getting stakeholder input

Local Flexibility  $\neq$  Total Flexibility

## What is the Local Control Funding Formula (LCFF)?

### Summary: The Promise of LCFF

LEAs will use the LCAP to design and evaluate their educational programs, focused on improving outcomes for all students and key student subgroups, across the priority areas and will meaningfully involve students, parents/guardians, teachers, and other community stakeholders in setting goals and deciding how to prioritize limited resources.

## School Facilities in the LCAP

## School Facilities in the LCAP

### State Priority 1: Basic Necessities

The first state priority includes:

- qualified teachers (fully credentialed and properly assigned);
- sufficient instructional materials; and
- facilities in good repair.

These are the *Williams* standards.



## School Facilities in the LCAP

### Education Code 52066(d)(1)

The LCAP must address . . . "[t]he degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002."

## School Facilities in the LCAP

### Education Code 17002(d)

"Good repair" means the facility is maintained in a manner that assures that it is clean, safe, and functional as determined pursuant to a school facility inspection and evaluation . . . .

- "Good repair" as defined through the Facility Inspection Tool

## School Facilities in the LCAP

LEAs must establish goals and list specific actions and expenditures to achieve the goals for each of the three components of this priority area.

Thus, each LEA's LCAP *must* address school facilities.

## School Facilities in the LCAP

- All LEAs have now adopted two LCAPs
- County offices of education/CDE approve LEA LCAPs by October 8

What did you see in your county in Year 1?

What did you see this time around?

## School Facilities in the LCAP

Key observations by ACLU of CA.

(Note: our review focused on district LCAPs)

- Most districts did not include goals for each metric in each state priority area
  - ▣ In a 40-district sample, only 70% of the LCAPs addressed school facilities
- Very few districts included specific goals and actions for student subgroups, including high-need students

## School Facilities in the LCAP

Key observations by ACLU of CA:

- Most districts did not include actions capturing a majority of LCFF funding
  - ▣ LCAPs represent only a fraction of total LCFF funds
- Very few districts included data in their LCAPs showing the starting place (baseline) on the metrics used to measure progress on goals

## Using the LCAP as an Advocacy Tool

## Using the LCAP as an Advocacy Tool

1. How Can the LCAP Help?
2. Recommended Approach to Goals, Specific Actions, and Expenditures for Facilities in the LCAP
3. Key Challenges for Counties

## Using the LCAP as an Advocacy Tool

### 1. How Can the LCAP Help?

- ▣ Recall, the Promise of LCFF:
- ▣ LEAs will use the LCAP to design and evaluate their educational programs, focused on improving outcomes for all student and key student subgroups, across 8 priority areas and will meaningfully involve students, parents/guardians, teachers, and other community stakeholders in setting goals and deciding how to prioritize limited resources.

## Using the LCAP as an Advocacy Tool

### 1. How Can the LCAP Help?

- ▣ The LCAP can be a tool to focus attention on issues that, in the past, may not have received the full consideration of key decision-makers.

## Using the LCAP as an Advocacy Tool

### 1. How Can the LCAP Help?

- ▣ Importance of renewed focus on school facilities:
  - ▣ Cuts to maintenance and custodial staff as a result of the recent fiscal crisis
  - ▣ The elimination of deferred maintenance requirements
  - ▣ The exhaustion of state bond authority

## Using the LCAP as an Advocacy Tool

### 1. How Can the LCAP Help?

- ▣ Consideration of facilities needs should be occurring in conjunction with discussions about the broader educational program.
- ▣ This may be a new way of thinking about facilities for some LEAs.



## Using the LCAP as an Advocacy Tool

### 1. How Can the LCAP Help?

- Either way, it is an opportunity:
  - ▣ The LCAP provides a structure to push LEAs to set robust goals, and to identify specific actions supported by sufficient expenditures, to ensure that all schools are maintained in good repair.

## Using the LCAP as an Advocacy Tool

### 2. Recommended Approach

- Goals
  - ▣ Ensure good repair at every school site
  - ▣ Develop annual maintenance and capital renewal goals (or align LCAP goals with existing goals from, e.g., long-term capital investment plans)

## Using the LCAP as an Advocacy Tool

### 2. Recommended Approach

- Specific Actions and Expenditures
  - ▣ Conduct annual assessment of good repair (write this into the LCAP as an action to advance the goal of meeting good repair standard)
  - ▣ Use LCAP to reflect three-year facilities plan (with discrete actions and supporting expenditures identified) & align LCFF expenditures with all other funding sources

## Using the LCAP as an Advocacy Tool

### 2. Recommended Approach

- Specific Actions and Expenditures
  - ▣ List and describe the expenditures associated with the actions needs to achieve the LCAP goals (capital, maintenance, operations, and custodial)
  - ▣ Restore maintenance and custodial staff

## Using the LCAP as an Advocacy Tool

### 2. Recommended Approach

What about Supplemental and Concentration funding?

## Using the LCAP as an Advocacy Tool

### 3. Key Challenges for Counties

- Distribution of “new” funds from the State through LCFF and new costs
- Features of county office facilities
- Uncertain future of state facilities program (not unique to counties)

## Discussion

## Closing

Contact:

□ [dsapp@acluca.org](mailto:dsapp@acluca.org)

LCFF Materials (in English and Spanish) available at:

□ [www.aclusocal.org/lcff](http://www.aclusocal.org/lcff)

Thanks!



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## County School Facilities Consortium 2015 Annual Summit

September 24 – 25, 2015  
Holiday Inn Capitol Plaza  
300 J Street  
Sacramento, CA

<h3><b>California Department of Education Update</b></h3>
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*Fred Yeager*  
Interim Director of School Facilities,  
California Department of Education



# California Department of Education Update

## School Facilities and Transportation Services Division

*September 25, 2015*

CALIFORNIA DEPARTMENT OF EDUCATION  
Tom Torlakson, State Superintendent of Public Instruction



TOM TORLAKSON  
State Superintendent  
of Public Instruction

# California Department of Education Mission

*California will provide a world-class education for all students, from early childhood to adulthood. The Department of Education serves our state by innovating and collaborating with educators, schools, parents, and community partners. Together, as a team, we prepare students to live, work, and thrive in a multicultural, multilingual, and highly connected world.*





**TOM TORLAKSON**  
State Superintendent  
of Public Instruction



*Vocational Education Programs Guidelines for Eliminating  
Discrimination and Denial of Services on the Basis of Race,  
Color, National Origin, Sex and Handicap*

Federal law requires CDE (Office of Equal Opportunity) to conduct on-site reviews of 2.5 percent of the schools CTE programs (maximum of 25)

Contact: Cyndi Olsen 916-319-0482  
colsen@cde.ca.gov

For schools to be reviewed in 2015-16  
<http://www.cde.ca.gov/ta/cr/ccrsched1516.asp>

The Federal Guidelines  
<http://www2.ed.gov/about/offices/list/ocr/docs/vocre.html>



**TOM TORLAKSON**  
State Superintendent  
of Public Instruction

## Pesticide Regulations

California Department of Pesticide Regulation (DPR) is developing regulations regarding use of agricultural pesticides near public schools.

- Based on comments from school administrators, the agriculture industry and the public during a five-city listening tour held in May and June
- Regulatory process to begin late 2016 and in effect 2017(?)
- Regulations could include:
  - Greater oversight by County Agricultural Commissioners
  - Specific set-back distance for the use of certain pesticides
  - Notice to schools prior to pesticide application
  - Best practices to encourage communication and coordination between schools and farmers.



**TOM TORLAKSON**  
State Superintendent  
of Public Instruction

## Resources

- School Site Selection Approval Guide  
<http://www.cde.ca.gov/ls/fa/sf/schoolsiteguide.asp>
- Guide to School Site Analysis and Development  
<http://www.cde.ca.gov/ls/fa/sf/documents/schoolsiteanalysis2000.pdf>
- Physical Education Planning Guidelines  
For Elementary:  
<http://www.cde.ca.gov/ls/fa/sf/peguideelement.asp>  
  
For Middle and High:  
<http://www.cde.ca.gov/ls/fa/sf/peguidemidhi.asp>
- Small School Site Planning  
<http://www.cde.ca.gov/ls/fa/sf/documents/smallsitewksht.xls>



**TOM TORLAKSON**  
State Superintendent  
of Public Instruction

## Resources

- School Closure Best Practice  
<http://www.cde.ca.gov/ls/fa/sf/schoolclose.asp>
- Healthy and Supportive School Environments  
<http://www.cde.ca.gov/ls/fa/sf/healthyenviron.asp>
- Pipelines  
<http://www.cde.ca.gov/ls/fa/sf/pipeline.asp>
- Powerlines  
<http://www.cde.ca.gov/ls/fa/sf/powerlinesetback.asp>



**TOM TORLAKSON**  
State Superintendent  
of Public Instruction

## Research

- **School Facilities Improve Learning**
- **Safe Schools Foster Improved Student Learning**
- **Sustainable Schools Improve Learning and the Environment**
- **Schools as Centers of Community Improve Learning**

See: <http://www.cde.ca.gov/ls/fa/re/>



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## **COE Case Study: Mendocino COE Water Conservation**

*Steve Turner*  
Director of Maintenance and Operations,  
Mendocino County Office of Education

# WATER CONSERVATION PROJECTS AT MENDOCINO COE

New Beginnings School  
River Center Quad Landscaping

Presented at the 2015 County Schools  
Facilities Consortium Annual Summit in  
Sacramento, CA. September 25, 2015

# NEW BEGINNINGS MODERNIZATION

(PORTABLE REPLACEMENT)

Court and Community School  
Independent Study  
First Certified High Performance School  
in Mendocino County

BEFORE



AFTER



## NEW BEGINNINGS



### 21<sup>st</sup> Century Learning Environment

- Configurable seating, superior acoustics, technology, sustainable & durable materials
- Natural light, openable windows



### Sustainable Site Design

- Cal Green Code, 33 HPI points from DSA
- Redeveloped site, central location, transit & bike



### Water Conservation & Energy Efficiency

- Water Use Budget, No Water Landscape, Bioswale
- Energy use 26% less than Title 24

## NEW BEGINNINGS GREEN & HIGH PERFORMANCE

## WATER USE RESULTS

Site averages 50 gallons/day plus the student garden

OWEL plan

Wildflowers and street trees

Waterless urinals & Low flush toilets

Drip Irrigation in student garden

Groundwater recharge- bioswale & permeable fire lane



## NEW BEGINNINGS COURT AND COMMUNITY SCHOOL

.64 acres lot

5,860 square feet in 2 buildings

2 classrooms, multipurpose room with teaching kitchen and 2 student restrooms

8 offices, 3 conference rooms, staff lounge and restrooms

Basketball court

7 COE staff, 4 county staff designed for 50 students

Sustainable Ag class beginning



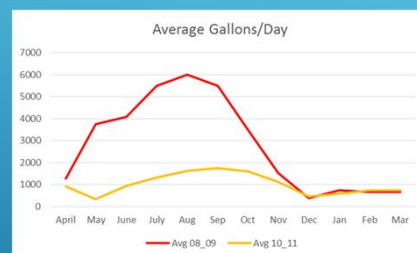
# RIVER CENTER QUAD LANDSCAPING PROJECT

Conversion from lawn to xeriscape  
8,000 square feet  
Total contract cost \$54,000

## BEFORE

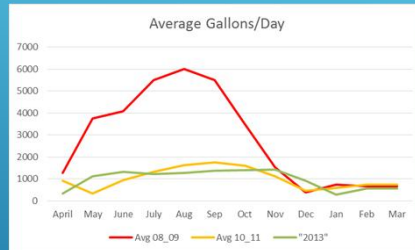


Former 8000 sq. ft. lawn  
allowed to dry out Spring of  
2010 due to drought



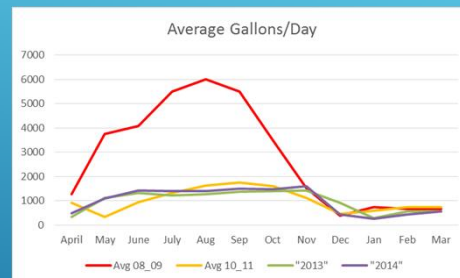
## RIVER CENTER QUAD LANDSCAPING

## TREES INSTALLED OCT 13



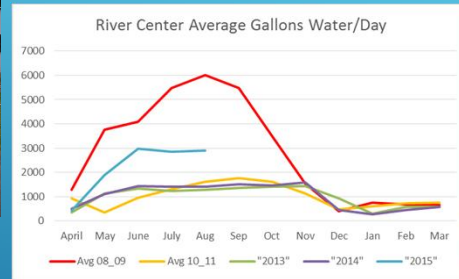
## RIVER CENTER QUAD LANDSCAPING

## PERENNIALS SPRING 14



## RIVER CENTER QUAD LANDSCAPING

1000 SQ FT LAWN INSTALLED FALL '14



RIVER CENTER QUAD LANDSCAPING









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# County School Facilities Consortium 2015 Annual Summit

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## **Proposition 39 Update**

*Anna Ferrera*  
Executive Director, School Energy Coalition



## K-14 School Facilities: Energy and Water are Priorities for the State

- Proposition 39 Approvals and Projects - Third year of Allocations approved in 2015-16 State Budget focused on LEAs: K-14 Schools.
- Drought Response
  1. Governor's Exec Order – Conservation Mandates
  2. Division of the State Architect (DSA) Regulations - Model Water Efficiency Landscape Ordinance (MWELO)
  3. Drought Response Schools (DROPS) Program
- Governor and Senate focused on Climate Change...SB 350



## Proposition 39: Five-Year Program to Fund Public Energy Efficiency Projects Statewide

- K-12 ADA Grants: Proposition 39 revenue to count toward Prop 98 minimum guarantee and used to support energy efficiency projects approved by the California Energy Commission (CEC). Of this amount, 85% was distributed on a per-ADA basis and 15% was distributed based on free and reduced-price meal eligibility.
- Community Colleges: For energy efficiency projects which will reduce utility costs at the colleges and promote energy efficiency workforce training.



## Proposition 39: Five-Year Program to Fund Public Energy Efficiency Projects Statewide

- CEC's ECAA Program: For Interest-Free Revolving Loans to assist eligible energy projects at schools and community colleges.
- California Workforce Investment Board: For a competitive grant program for eligible organizations that prepare disadvantaged youth or veterans for energy-related employment out of Prop 39 Funding.
- California Conservation Corp: Funding for the CCC to do energy surveys and other energy conservation-related activities for public schools out of Prop 39 Funding.





## Prop 39: Year Three

	2013-14	2014-15	2015-16
K-12 ADA Grants	\$381 M	\$279 M	\$313.4 M
Community Colleges	\$47 M	\$37.5 M	\$39.6 M



## Types of Projects Funded for Prop 39 as of August 10, 2015

- Lighting (47%)
- Lighting Controls (10%)
- HVAC (17%)
- HVAC Controls (10%)
- Plug Loads (7%)
- PV Solar Generation (2%)
- Pumps Motors Drives (3%)
- Building Envelope (2%)
- Domestic Hot Water (2%)



## AP Article Raises Concerns in Third Year of Prop 39

- Jobs – Few Jobs Created Compared to What Was Promised:  
*AP reported only 1,700 jobs have been created, in contrast to the 11,000 per year promised by initiative backers.*
- Funding – Going to Analysts and Outside Consultants:  
*AP reported only about half of the \$973 million now available for projects has been requested for projects so far. And of the \$297 million already given to schools, more than half -- \$153 million -- has been paid to consultants and energy auditors.*
- Oversight – Citizens Oversight Board:  
*Nine member Board created in the implementing statute - had yet to meet.*



## Responding: Proposition 39

- According to the CEC webpage - Out of \$430 million allocated to K-12 schools in the first two years of program, \$101 million of the allocations remained outstanding. SEC continues to provide letters and photos from schools.
- 2015-16 allocation of \$313 million has yet to be allocated by CDE to LEAs.
- Analysis takes the lions share of the planning dollars at the start of the plan approval process. Planning ensures it is done right.
- Jobs are a CEC calculation based on dollar amount of Energy Expenditure Plan (EEP) – *this was a calculator done by CEC.*
- Citizen's Oversight Board (COB) met on September 8 – earlier than planned. Kate Gordon, Vice Chair of Climate and Sustainable Urbanization at the Paulson Institute, is the Chair of the COB.



## Current Status

- LEAs continue to move EEPs forward – all approvals must be done by 2018. All projects must be completed by 2020.
- Timing is key due to student/teacher schedules.
- CEC has added online tools for amending plans.
- CEC will be adding the reporting tool for completed projects this Fall – schools have 12-15 months after project completion to report to CEC.
- SEC comments to the COB for a transparent and consistent review process.
- Changes to Prop 39 Guidelines are usually announced in Fall for input and approved in December.



## Status of Water Efforts

- Governor's Water Conservation Mandates – Per Executive Order 29-15 – % implemented by water districts.
- DSA Potable Water Landscape Irrigation Regulations – Per changes to CA Green Building Standards (CALGreen) and apply all new construction and building additions of > 1,000 sqft. on existing site. Area of MWELo landscape rehabilitation = 75% of building footprint.
- Drought Response Outreach Program for Schools (DROPS) – State Water Board program focused on projects that reduce storm-water pollution and provide other benefits including conservation, energy savings, sustainability, and reduced runoff with an education/outreach component.



## Legislation: SB 350 (de Leon)

- To carry out Governor's Executive "50-50-50" Order on Climate Change.
- SEC supports building efficiency pieces provided there is funding for schools to achieve these goals.
- Fuel Reduction Section removed in last week of Session.
- Renewable Portfolio Standard (RPS) – Deal cut with utilities to address infrastructure concerns .
- Building Efficiency Standards will be set after a process with Stakeholders. SEC will seek to participate in these discussions on behalf of LEAs.
- Efficiencies may be created under existing programs, includes Prop 39 specifically .
- AB 802 (Williams) "Above Code" adjustments can be made by IOUs .



## School Energy Coalition: Who We Are

- Members Statewide
- Formed in 2011 after consecutive years of State Budget Cuts to Schools
- Funding and technical assistance for energy efficiency and renewable projects that provide savings to general fund for school priorities
- Legislation and Rates
- Proposition 39
- Water: Same Formula and Conservation Mandates
- Fall Forums: September 28/Sacramento and October 5/Orange County



## Questions?



## Contact Information

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SCHOOL ENERGY COALITION

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*Executive Director of the  
School Energy Coalition.*

*A former appointee and Senior  
Advisor at the U.S.*

*Department of Energy and  
former staff to the California  
State Senate on energy issues.*

