

RESOLUTION NO. 15, 2023-24
RESOLUTION OF THE GOVERNING BOARD
OF THE REDLANDS UNIFIED SCHOOL DISTRICT

**AUTHORIZATION TO FILE STATE APPLICATIONS FOR PROJECTS
THROUGH THE OFFICE OF PUBLIC SCHOOL CONSTRUCTION, DEPARTMENT
OF GENERAL SERVICES, STATE OF CALIFORNIA**

WHEREAS, the Redlands Unified School District has determined that the District has eligibility for construction of new schools, additions to existing schools, and modernization of facilities more than 25/20 years of age for permanent and portable facilities, and other funding opportunities for facility construction and improvement under the State School Facility Program, pursuant to Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10 et. seq., of the Education Code; and

WHEREAS, the Board designates Jason Hill, Assistant Superintendent, Business Services, Kirtan Shah, Director, Fiscal Services and Ken S. Morse, Coordinator, Operations and Facilities Planning to serve as Authorized District Representatives to the Office of Public School Construction (OPSC) and to file applications, modify applications, submit appeals, submit use of grants requests, and sign documents related to applications and funding for all OPSC programs, including, but not limited to, new construction, modernization, deferred maintenance, federal renovation grants, overcrowding relief grants, critically overcrowded school facilities program, seismic mitigation grants, facility hardship, unused sites, financial hardship, state relocatable classroom program (emergency portables), excessive cost hardship grants, and school facilities need assessment grant/emergency repair programs (Williams Act Compliance), and to represent the District's interest in all matters related to funding and audits from the State School Facility Program (SFP), and any and all programs under the auspices of the Office of Public School Construction; and

WHEREAS, Jason Hill, Assistant Superintendent, Business Services, Kirtan Shah, Director, Fiscal Services and Ken S. Morse, Coordinator, Operations and Facilities Planning, or designee, are hereby designated as CEQA officers of the District and are hereby authorized and directed to furnish such information as may be required pursuant to the Environmental Quality Act of 1979, Section 21000 et. seq., Public Resource Code and Regulations of the State Allocation Board (SAB) pertaining to said Act; and

THEREFORE, BE IT RESOLVED, that the Board of Education of the Redlands Unified School District does hereby include this resolution as authorized under Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et.seq., of the Education Code as part of the applications for the above-stated projects, and certifies the following information to be true as required conditions for filing applications and receiving State School Facility Program funding, pursuant to and referencing regulations relating to the Leroy F. Greene School Facilities Act of 1998 (School Facility Program):

1. The District has established a Restricted Maintenance Account for exclusive purpose of providing ongoing and major maintenance of school buildings and an ongoing and major maintenance plan that complies with and is implemented under the provisions of Education Code Section 17070.75 and 17070.77 (pursuant to Regulation Sections 1859.100 through 1859.102); and

2. Pursuant to Education Code Section 17070.755, the District has made a priority of the funds in the restricted maintenance account, established pursuant to Education Code Section 17070.75, to ensure that facilities are functional and meet local hygiene standards; and,
3. The District has considered the feasibility of the joint use of land and facilities with other governmental agencies in order to minimize school facility costs; and
4. If the District requests funding for modernization of portable classrooms eligible for additional apportionment pursuant to Education Code Section 17073.15, the District shall certify that:
 - a. The state modernization funds will be used to replace the portable classrooms and permanently remove the displaced portables from the classroom use within six months of the filing of the Notice of Completion for the project; or
 - b. The District will provide documentation to the Office of Public School Construction which indicates that modernizing the portable classrooms eligible for an additional apportionment is better use of public resources than the replacement of said facilities; and
5. Facilities to be modernized have not been previously modernized with Lease-Purchase Program, Proposition 1A Funds, or School Facility Program state funds, unless permitted by law; and
6. All contracts for the services of any architect, structural engineer or other design professional for any work under the project(s) funded or partially funded by the Office of Public School Construction have been or will be obtained pursuant to a competitive process that is consistent with the requirements of Chapter 10 (commencing with Regulation Section 4525) of Division 5, of Title 1, of the Government Code; and
7. The District will receive written approval of the site and the plans for project(s) from the California Department of Education (CDE) as required for new construction; and
8. The District will receive written approval of the plans for modernization project(s) from the California Department of Education (CDE) as required for modernization funding; and
9. The District will comply with the Public Contract Code regarding all laws governing the use of force account labor; and
10. The District will comply with Education Code Section 17076.11 regarding at least three (3) percent expenditure goal for disabled veteran business enterprises; and
11. The District matching funds required pursuant to Regulation Sections 1859.77.1 or 1859.79 will have been either expended by the District, deposited in the County/District School Facility Fund, or will be expended by the District prior to the notice of completion for a project as required for said project; or if the District applies for Career Technical Education Facilities Funds pursuant to Section 1859.194 will have either been received and expended by the District, deposited in the County School Facility Fund or will have been received and expended by the District prior to the notice of completion for the project if applicable; and
12. The District will receive the necessary approval of the plans and specifications from the Division of the State Architect, pursuant to OPSC Regulations, unless the funding request is for a separate site and/or design apportionment; and

13. If the District requests site acquisition funds as part of an application, the District will comply or will have complied with Regulation Sections 1859.74 through 1859.75.1 (pertaining to Separate Site Acquisition Costs) as appropriate; and
14. With the exception of an apportionment made pursuant to Regulation Section 1849.75.1, the District understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 18 months of receipt of any funding shall be cause for rescission of the unexpended funds (pursuant of Regulation Section 1859.105); and
15. If the apportionment for a project is made pursuant to Regulation Section 1859.75.1, the District understands that the lack of substantial progress toward increasing the pupil capacity or renovation of its facilities within 12 months of receipt of any funding shall be cause for rescission of the unexpended funds (pursuant to Regulation Section 1849.105.1); and
16. The District understands that funds not released within 18 months of apportionment shall be rescinded and the application shall be denied (pursuant to Regulation Section 1859.90); and
17. All school facilities purchased or newly constructed under the project for use by pupils who are individuals with exceptional needs, as defined in Education Code Section 56026, shall be designed and located on the school site so as to maximize interaction between those individuals with exceptional needs and other pupils as appropriate to the needs of both; and
18. In the event there is a conflict in the language between this authorizing resolution and the OPSC/SAB application for funding forms, the language in the OPSC forms shall prevail, as authorized by law or OPSC Regulation; and
19. The District understands that some or all of the state funding for a project may be returned to the State as a result of an audit pursuant to Regulation Sections 1859.105, 1859.105.1, 1859.106; and
20. The District will comply with the provisions of Regulations Sections 1859.76 (Site Development Costs) and 1859.79.2 (Use of Modernization Funds) and that the portion of a project funded by the State will not contain work specifically prohibited in those sections of the regulations; and
21. If the District applies for any SFP grants to be used for construction or modernization of any school facilities on leased land, the District will have entered into a lease agreement for the leased property that meets the requirements of Regulation Section 1859.22; and
22. If the District submits any application containing a “Use of New Construction Grant” request, the District will have adopted a school board resolution and housing plan at a public hearing at a regularly scheduled meeting of the governing board as specified in Regulation Sections 1859.77.2, or 1899.77.3, as appropriate. The District’s approved housing plan will list the following options that apply:
 - a. The construction or acquisition of facilities for housing the pupils with funding not otherwise available to the SFP as a district match within five years of project approval by the SAB; the District must identify the source of funds [Applicable for Regulation Sections 1859.77.2(a) and (b) and 1859.77.3(a) and (b)];

- b. The utilization of a higher district loading standards providing the loading standards are within the approved District's teacher contracts and do not exceed 33:1 per classroom. [Applicable for Regulation Sections 1859.77.2(a) and (b) and 1859.77.3 (a) and (b)];
 - c. Implementation of a grade level change wherein the pupils requested from a different grade level will be housed in classrooms at an existing school in the District which will have its grade level changed, to the grade level requested, at the completion of the proposed SFP project. [Applicable for Regulation Sections 1859.77.2(b) and 1859.77.3(b)]; and
- 23. If the District requests additional funding for fire code requirements pursuant to Regulation Sections 1859.71.2 or 1859.78.4, the District will include the automatic fire detection/alarm system and/or automatic sprinkler system in the project prior to completion of the project; and
- 24. If the District requests funding for a new construction project or a modernization project, the District will have consulted with a career technical advisory committee established pursuant to Education Code Section 8070 and will have considered the need for vocational and career technical facilities to adequately meet its program needs in accordance with Education Code Sections 51224, 51225.3 (b) and 52336.1 and 51228 (b); and
- 25. If the District requests Additional Grants for Energy Efficiency pursuant to Regulation Sections 1859.71.3 or 1859.78.5, the increased costs for energy efficiency components in the projects will exceed the amount of funding otherwise available to the District; and
- 26. If the District applies for Modernization funding, the District shall have considered the potential for the presence of lead-containing materials in the modernization project and will follow all relevant federal, state, and local standards for the management of any identified lead; and
- 27. The District will follow a Labor Compliance Program, pursuant to Labor Code Section 1771.7; and
- 28. Beginning with the 2005-06 fiscal year, the District has complied with Education Code Section 17070.75(e) by establishing a facilities inspection system to ensure that each of its schools is maintained in good repair; and
- 29. If the District applies for Small High School Program, pursuant to Section 1859.93.2, the district has or will have an academic reform strategy scored by the CDE available at the District office for OPSC verification; and pursuant to sections 1859.93.2, and 1859.78.9 the enrollment at the Small High School(s) will not exceed 500 pupils for a minimum of two complete school years after the Occupancy, pursuant to OPSC regulation, and pursuant to if the District submits applications pursuant to Section 1859.78.9 or Section 1859.93.2, the district certifies that it will meet all reporting requirements as specified in Section 1859.104(e)(1) and/or (2) (cost evaluation/academic data); and
- 30. If the District applies for funding pursuant to Regulations Section 1859.180 (Overcrowding Relief Grant), within six months of occupancy of the permanent classrooms, the district shall remove the replaced portables from the eligible school site and K-12 grade classroom use with the exception of schools described in Education Code Section 17079.30(c), and
- 31. The District has or will have considered the feasibility of using designs and materials for new construction or modernization projects that promote the efficient use of energy and water, maximum use of natural light and indoor air quality, the use of recycled materials and materials that emit a

minimum of toxic substances, the use of acoustics conducive to teaching and learning, and the other characteristics of high performance schools.

32. If the District applies for a preliminary apportionment, the District has or will have verified the information utilized to establish the CDE source list, pursuant to Regulations Section 1859.143 and the District shall comply with reporting requirements in Regulations Section 1859.149 and public hearing requirements in Education Code 17078.25(d).
33. The District will not include ineligible items in its Deferred Maintenance Plan and all work will be completed in accordance with program requirements, applicable laws and regulations. The District shall maintain property documentation in the event of an audit. The District understands that should an audit reveal that said funds were expended for other than eligible deferred maintenance costs, the SAB will require the district to return all inappropriately expended funds; and
34. Five-Year Deferred Maintenance plans and proposals for expenditures of funds have been or will be discussed in a public hearing at a regular scheduled school board meeting prior to submission to the Office of Public School Construction, and the District has or will comply with all other requirements of Education Code Sections 17584.1 and 17584.2; and
35. The District certifies that it holds title to the site on which any state-leased relocatable buildings shall be placed without liens or encumbrances which would affect the use of the site for relocatable classrooms; and
36. If the District requests State Relocatable Classrooms, the District shall comply with the terms and conditions and certifications with regard to hiring of an architect, Division of State Architect-approved inspector, use of the building(s) for instructional purposes, maintenance, insurance, and fire alarm requirement;

BE IT FURTHER RESOLVED, that this resolution is being adopted in support of District applications for new construction, modernization, deferred maintenance, state relocatable, and/or other appropriate documentation or programs under the purview of the Office of Public School Construction, Department of General Services, State of California, including but not limited to programs provided by Chapter 12.5, Part 10, Division 1, commencing with Section 17070.10, et seq., of the Education Code.

The foregoing resolution was adopted this 12th day of December 2023, by the following vote:

THE GOVERNING BOARD OF THE
REDLANDS UNIFIED SCHOOL DISTRICT

Ayes:	_____	_____
Noes:	_____	_____
Absent:	_____	_____
Abstain:	_____	_____
