



# REGISTER

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THE NEWSLETTER OF THE COALITION FOR ADEQUATE SCHOOL HOUSING

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## Carrington Hall

*See page 10 for details*

# Message From The Chair



Eric J. Hall, C.A.S.H. Chair

## Thank You C.A.S.H. Members

*It has been an honor and a privilege to serve as your Chair for the past two years. I have enjoyed the opportunity and I have had fun along the way.*

The position of Chair of the C.A.S.H. organization offers a unique perspective on some of the most significant challenges that the school facilities community is facing. I would like to share some thoughts and observations from my journey as your C.A.S.H. chair.

### **Differences in Administrations**

It has been fascinating to observe the differences between former Governor Davis's administration and the current Governor Schwarzenegger concerning their philosophies, approaches and areas of interest. How things have changed!

### **Impact of the Decline of California's Fiscal Health**

It has also been interesting to observe how the decline in California's fiscal health over the past few years has adversely affected not only the operations side of school administration, but school facilities as well. As a part of this change, we have observed the State Department of Finance expand its role concerning decisions on key policy

issues. As a result, we have seen an increase in fiscal scrutiny develop - and rightfully so. We should all do our best to be a part of the solution to California's unprecedented financial crisis. Nevertheless, C.A.S.H. has acted decisively to eliminate or modify proposed "cost-saving" proposals that we believe would result in less funding or more complexity for the school construction community. For example, we have reacted to proposals to freeze the grant index, eliminate labor compliance grants and "piggyback" bidding.

### **Expanded Role of the State Allocation Board**

We have also seen the expansion of the board from 7 to 10 members and their increased profile and influence. We have seen an increase in the level of interest among legislators concerning the funding levels and success of our school construction program.

### **Increased Programmatic Complexity**

Building a school in California has become so much more complex. We have experienced a significant increase in new requirements, with new environmental requirements chief among them. The increase in complexity associated with school construction and modernization should be considered one of our organization's most significant challenges going forward.

### **California Voters Still Support School Bonds**

We have also enjoyed the passage of Proposition 55, the second of the two part bond program. Although passed by the narrowest margin of any state-wide school bond, we continue to enjoy the support of the electorate. The passage of Propositions 1A, 47 and 55 have generated unprecedented funding levels for school facilities in California, or any state for that matter. Approxi-



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The CASH Register is published eleven times a year (January through November) by the Coalition for Adequate School Housing (C.A.S.H.) and distributed to C.A.S.H. members. Over 1,000 rapidly growing school districts, county offices of education, architects, attorneys, bond counsel, financial institutions, developers, contractors, consultants, inspectors, licensed professionals, manufacturers of portable classrooms, maintenance suppliers and others who are concerned about school construction issues hold C.A.S.H. memberships.

The CASH Register solicits articles on school facility-related topics from the membership. If you are interested in submitting an article, please send it or a letter of inquiry to: Editor, CASH Register editorial office, 1130 K Street - Suite 210, Sacramento, CA 95814. Sorry, we are unable to return or acknowledge unpublished manuscripts. The views expressed herein are those of the authors and not necessarily those of the Coalition for Adequate School Housing, its board, staff or general membership.

mately 40 % of the student population in California have benefited from modernized or newly constructed school faculties. In addition, California voters have supported local school bonds like never before since the approval of Proposition 39, which lowered the vote threshold for passage of local bonds from two-thirds to fifty-five percent.

### **Equity Concerns Drive Policy Development**

The gap between the “haves” and the “have-nots” in school facilities has become a significant issue of concern for members of the Legislature, community organizations, as well as for members of the school facilities community. We are seeing the impact of this concern with “*Williams Settlement*”, which attempts to address inequities in teacher qualifications, instructional materials, and school facilities.

### **It Takes a Village**

One of the inspiring aspects of this coalition that I have seen on a daily basis as your C.A.S.H. Chair is the expertise, commitment and passion of the C.A.S.H. staff and your C.A.S.H. Board of Directors. We enjoy the expertise of the best staff in the business. Our advocacy team lead by Tom Duffy is among the hardest working and most highly respected in education. Our administrative staff, under the direction of Greg Golik as our Operations Director, is efficient, diligent and never misses a beat!!

I am particularly grateful to the outstanding Board of Directors who are very dedicated and passionate about their work. They are passionate about every aspect of our business and, not surprisingly, they even have differing opinions on issues from time to time. Your Board are indeed respected experts in a wide variety of professions such as


architecture, financing, planning, funding, regulations and construction. They put in countless unpaid volunteer hours, and their work on behalf of the C.A.S.H. organization is recognized and very much appreciated.

I would also like to share with you the excitement I have felt from your Chair-Elect Pamela Johnson. Her commitment to excellence and her high level of interest in the C.A.S.H. organization comes through in that she does. I believe Pamela will be an excellent leader for this organization.

I am very fortunate to enjoy the support of my school district. The C.A.S.H. Leadership positions are held by individuals, but their districts make a commitment as well. A special thanks to my district Superintendent, Dr. Peggy Lynch, my Board of Trustees, and

my staff for providing me with this opportunity.

### **Passing The Torch**


My friends, together we have accomplished a great deal – but we still face significant challenges ahead. We will need to work closely together as always to provide the attention to our legislative agenda, and work to maintain the features of the School Facilities Program that benefit so many students. The focus and commitment of the C.A.S.H. organization as a coalition is second to none. I consider myself very fortunate to have had the opportunity to participate in a process where everyone truly cares about the results. It has been a “great ride” and I thank you for the opportunity to serve – it has been my pleasure. 

## **Bruce Hancock Leaves the State Allocation Board**

Bruce Hancock, the Assistant Executive Officer to the State Allocation Board, submitted his resignation to the Board effective January 31, 2005. Appointed by the Board in 1998, he has diligently served the school facilities industry for more than 15 years. Before his tenure as the Assistant Executive Officer to the SAB, Bruce was a manager of the School Facilities Program with the Office of Local Assistance, the agency now known as the Office of Public School Construction. Prior to his public service, Bruce acquired over 20 years of experience in the design and construction industry working in the private sector, during which he became the Vice-President of one of the largest construction firms serving

public schools. Bruce’s empirical experience in designing and constructing schools, coupled with his acumen of facility funding, has made him an indispensable ally of school districts throughout the state. He leaves the Board and the school facilities industry with an indelible mark of commitment and excellence.

C.A.S.H. thanks Mr. Hancock for his years of dedication to the betterment of public school facilities and wishes him well on his future endeavors. The C.A.S.H. Board, membership and staff will miss his wit and wisdom.

Mavonne Garrity, former education consultant to Assembly Member Jackie Goldberg will fill the position on an interim basis. 

~C.A.S.H. Staff

# Wrong Elephant:

## *Superintendent Jack O'Connell Argues for Protection of Proposition 98 Guarantee*

***On Monday, January 24, 2005, State Superintendent of Public Instruction Jack O'Connell delivered his annual address on the State of Education in California. During his address, Superintendent O'Connell identified the following issues and programs as his priorities for 2005:***

### ***Improving High Schools***

Proposes to expand and enhance principal training and development of high school teachers, create a state review process for high school instructional materials, and establish standards for career technical education programs through the State Board of Education.

### ***Universal Preschool***

Expresses support for universal preschool to be established either through legislation or initiative, proposes to draft content standards for preschools, and create a credential program for preschool teachers.

### ***Student Health***

Will request that the State Board of Education develop health education standards, supports ban on soft drink sales at high schools during the day, and establishment of an advisory group for improving nutritional value of foods sold on campus. Pledges to work with, "...the Legislature and the State Allocation Board to make sure that when new schools are built, they

include adequate space and facilities for meals and for physical education."

### ***Technical Education Programs***

Proposes to develop standards for career technical education that describe the skills and knowledge high school students must have, and submit the proposed standards to the State Board of Education.

### ***Creation of "P16 Council"***

Proposes to establish a council to, "... better coordinate how we deliver education to California students at all stages of life..." through better integration of K-12 and higher education systems.

### ***Charter Schools***


Superintendent O'Connell stated that he looks forward to working with Governor Schwarzenegger on his proposal to expand charter schools as "models for reform."

Superintendent O'Connell's comments concerning the Governor's proposed changes to the Proposition 98 funding formula were perhaps the most significant. The Superintendent began by pointing out that California's schools have been shortchanged by \$9.8 billion over the last four years according to the Proposition 98 funding guarantee.

Specifically, Superintendent O'Connell was critical of Governor Schwarzenegger's characterization of Proposition 98's funding guarantee as, "...an elephant in the living room," and stated that the Governor was, "...either in the wrong room, or pointing to the wrong elephant." The Superintendent

went on to say that, "The elephant in our living room, my friends, is not a spending problem. It is that California is not investing in its future. Our state is not fulfilling the promise voters enacted with the passage of Proposition 98, under which they intend to restore California's schools to the position of excellence. Voters intended to give school districts a stable and predictable source of funding so that, like any good business, they can plan their budgets and prioritize funding year to year."

Superintendent O'Connell concluded by stating that local communities have been willing to support local Proposition 39 bonds to raise necessary local funding to build and modernize schools, and went on to argue for a lowering of the vote threshold for passage of parcel taxes from two-thirds to fifty-five percent.

Specifically, Superintendent O'Connell stated that, "...California's school facilities are today moving from appalling to adequate...it is time to do for school programs what we have begun to do for our school buildings. It is time to let the voters choose to stop starving our schools." "Let's not just give voters the option of deciding whether to hand the Governor a meat cleaver with which to indiscriminately chop vital services in the middle of a budget year. Let's give them the option of a positive choice for public education...let them decide, with a fifty-five percent vote, whether they want to raise parcel taxes for their local public schools. It's time for us to lower that vote threshold to pass parcel taxes..." 

~Jan Padilla

## 2005 LEGISLATIVE COMMITTEES

### ***C.A.S.H. is finalizing work on the 2005 Legislative Directory that will be handed out at the upcoming Annual Conference.***

Below are the legislative members of key committees for C.A.S.H.:

#### **Assembly Appropriations Committee**

Assembly Member Judy Chu, *Chair*  
Assembly Member Sharon Runner, *Vice Chair*  
Assembly Member Karen Bass  
Assembly Member Patty Berg  
Assembly Member Ron Calderon  
Assembly Member Bill Emmerson  
Assembly Member Mike Gordon  
Assembly Member Ray Haynes  
Assembly Member Betty Karnette  
Assembly Member Johan Klehs  
Assembly Member Mark Leno  
Assembly Member Alan Nakanishi  
Assembly Member Joe Nation  
Assembly Member Jenny Oropeza  
Assembly Member Mark Ridley-Thomas  
Assembly Member Lori Saldana  
Assembly Member Mimi Walters  
Assembly Member Leland Yee

#### **Budget Subcommittee #2 (Education Finance)**

Assembly Member Mervyn Dymally, *Chair*  
Assembly Member Wilma Chan  
Assembly Member Joe Coto  
Assembly Member Lynn Daucher  
Assembly Member Jackie Goldberg  
Assembly Member Bob Huff

#### **Assembly Education Committee**

Assembly Member Jackie Goldberg, *Chair*  
Assembly Member Mark Wyland, *Vice Chair*  
Assembly Member Juan Arambula  
Assembly Member Joe Coto  
Assembly Member Loni Hancock  
Assembly Member Bob Huff  
Assembly Member Carol Liu  
Assembly Member Gene Mullin  
Assembly Member Fran Pavley  
Assembly Member Keith Richman  
Assembly Member Tom Umberg

For more information about Assembly Committees, visit the California State Assembly website at <http://www.assembly.ca.gov/acs/defaulttext.asp>.

Below are the legislative members of key Senate committees for C.A.S.H.:

#### **Appropriations**

Senator Carole Migden, *Chair*  
Senator Sam Aanestad, *Vice Chair*  
Senator Elaine Alquist  
Senator Roy Ashburn  
Senator Jim Battin  
Senator Debra Bowen  
Senator Bob Dutton  
Senator Martha Escutia  
Senator Kevin Murray  
Senator Deborah Ortiz  
Senator Charles Poochigian  
Senator Jackie Speier  
Vacancy

#### **Budget and Fiscal Review**

Senator Wes Chesbro, *Chair*  
Senator Dennis Hollingsworth, *Vice Chair*  
Senator John Campbell  
Senator Denise Ducheny  
Senator Joe Dunn  
Senator Bob Dutton  
Senator Christine Kehoe  
Senator Sheila Kuehl  
Senator Alan Lowenthal  
Senator Mike Machado  
Senator Bob Margett  
Senator Tom McClintock  
Senator Gloria Romero  
Senator George Runner  
Senator Jack Scott  
Senator Joe Simitian  
Senator Tom Torlakson

#### **Education**

Senator Jack Scott, *Chair*  
Senator Abel Maldonado, *Vice Chair*  
Senator Elaine Alquist  
Senator Jeff Denham  
Senator Bob Dutton  
Senator Alan Lowenthal  
Senator Bill Morrow  
Senator Gloria Romero  
Senator Joe Simitian

Senator Nell Soto  
Senator Jackie Speier  
Senator Tom Torlakson

#### **Environmental Quality**


Senator Alan Lowenthal, *Chair*  
Senator George Runner, *Vice Chair*  
Senator John Campbell  
Senator Wes Chesbro  
Senator Dave Cox  
Senator Martha Escutia  
Senator Liz Figueroa  
Senator Sheila Kuehl  
Senator Joe Simitian

#### **Labor and Industrial Relations**

Senator Richard Alarcon, *Chair*  
Senator John Campbell, *Vice Chair*  
Senator Dick Ackerman  
Senator Joe Dunn  
Senator Liz Figueroa  
Senator Sheila Kuehl  
Senator Alan Lowenthal  
Senator George Runner

#### **Local Government**

Senator Christine Kehoe, *Chair*  
Senator Dave Cox, *Vice Chair*  
Senator Dick Ackerman  
Senator Mike Machado  
Senator Tom McClintock  
Senator Nell Soto  
Senator Tom Torlakson

For more information about Senate Committees, visit the California State Senate website at <http://www.senate.ca.gov/~newsen/committees/standing.htm>. 


~ C.A.S.H. Staff

# Governor's Budget for 2005-06: School Facilities

**On January 10, Governor Arnold Schwarzenegger released his proposed budget for 2005-06 which outlines his Administration's spending priorities for the next year.**

The following is a summary of the proposals which pertain to school construction:

- The Deferred Maintenance Program is fully-funded at \$273,632 million.
- Proposition 98 Reversion Account provides \$100 million for school facility repairs as specified in the Williams settlement.
- Provides incentives for smaller schools by increasing the School Facilities Program's (SFP) current per-pupil grant amounts by 20% as an incentive for school districts to participate in the small school size pilot program created by AB 1464 (Chan/Chapter 894, Statutes of 2004). AB 1465 requires the State Allocation Board (SAB) to set aside \$20 million in state school bond funds.
- Promotes smaller learning environments by seeking, "...to convert

the State's largest elementary, middle, and high schools into smaller learning environments or schools-within-schools. These smaller learning environments will provide a more effective learning experience and the opportunity for students and teachers to develop closer relationships. The administration intends to pursue these changes through the School Facility Program and also by making resources available for technical assistance and planning purposes." 

~Jan Padilla

## Founding Member of C.A.S.H. Passes

**Dave King founding member of C.A.S.H., passed away on January 17 in Orange, California. Dave was 78.**

Dave was the loving husband for 57 years of Audrey King; adored father of Kathy Hanks, and devoted grandfather of John and Christina.

Memorial Services were held on Thursday, January 27 at 11:00 a.m. at the Saddleback Chapel, 220 E. Main Street, in Tustin, California.


As a founding member of C.A.S.H. Dave took the reigns of leadership with vigor in 1980 and spent many years serving as an active member of the Board and was Director Emeritus. Dave gave C.A.S.H. a viable voice for school facility needs, particularly as the creator, Editor-in-Chief, and publisher of the *CASH Register*. Dave had the astuteness to recognize the value in hiring Jim Murdoch as C.A.S.H.'s legislative advocate, which enabled the

organization to evolve into what it is today. Under his leadership, C.A.S.H. sponsored and passed the first statewide school bond worth \$500 million in 1982. And the legacy that began under Dave's guidance continues with the passage of more than \$43 billion in state bonds for school construction.

In 1970, Dave joined the Irvine School District where he served as Director of Facilities for 17 years. He brought to the district his expertise as a registered Civil Engineer who specialized in educational facility planning. Dave was active not only in C.A.S.H., but in other circles such as the American Society of Civil Engineers and the Council of Educational Facility Planners. When Dave retired from the Irvine School District in 1987, he continued assisting school districts through private consulting; planning

new schools up and down the state. Dave's influence in the school facilities industry was so pervasive that the California State Legislature recognized him with two legislative resolutions for his extraordinary dedication to providing California's school children with safe learning environments.

One cannot say too much about Dave King and the tremendous legacy he has impressed upon all of us. For those of us who were fortunate enough to work with and learn from him personally, we are forever indebted. Dave's work with schools, the Legislature, and with C.A.S.H. was without question a labor of love. And it is unequivocal that without Dave King, C.A.S.H. would not be here today.

Contributions can be made to the King's charity of choice, the University Of Southern California Viterbi School Of Engineering. 

# Rand Corporation Documents School Facility Needs


The Rand Corporation has completed a study of California's current K-12 public education system. This study looked at the composition of the student population, financial resources, the teaching force, K-12 facilities, academic achievement, and other student outcomes.

In the area of school facilities, the report documented the inadequate funding for school facilities that occurred up until the passage of Propositions 47 and 55. Major inadequacies were identified for school maintenance and repair. The report hypothesizes that many of the repair and maintenance problems are related to the inadequate resources for schools during the period of 1990 – 2000. In addition to school repair, concerns and problems documented in the report, there are a series of comparisons of California and other states. The report shows that from 1991-92 through 1999-00, California consistently was below the national average for public school construction expenditures per pupil.

When one considers that at the same time California was having some of the most significant pupil population growth – the highest absolute number of student population growth in the nation – the effect of being below the national average is even more shocking. The report compares California's public school expenditures per pupil from 1991-92 to 1999-00 to the four other populous states with the greatest amounts of total population. In 1999-00, California was spending between \$252 less than than Florida, to \$316 per pupil less than Illinois. California also spent less per pupil than Texas or New York. Cumulatively, during the decade, California approached spending \$900 per pupil on school construction, less than the national average.

The report concludes however, since 1999-00, that California's school construction expenditures have been increasing, both for new construction and modernization. The report concludes that the passage of Propositions 47 and 55 for state funding and the enactment of Proposition 39 which lowered the local vote requirement for school construction bonding, all aided

in the increase in resources that are becoming available for schools in California.

Although this is a statewide improvement, the report concludes that there are continuing facility needs concentrated in central cities serving high minority in poor populations and in rural areas. 

~C.A.S.H. Staff

## Californians for School Facilities Update

### 2005 QZAB Allocation Update

The US Department of Treasury announced the 2005 QZAB allocation, December 10, 2004. \$48.956 million is set to be released to California.

California's 2004 QZAB authorization was \$50.399 million.

The combined authorization for 2004-2005 is \$99.256 million.

Many thanks goes to our CSF leadership and members who worked so diligently to have the QZAB program reauthorized. Our next mission will be to increase the allocation amount and broaden the program to include land acquisition and new construction in the program.

### QZAB Application Process Update

The California Department of Education has posted the revised 2004-2005 QZAB program parameters. To access the 2004-2005 QZAB parameters, please visit CDE's website at <http://www.cde.ca.gov/l/fa/qz/parameters.asp>

Following is a brief overview the 2004-2005 CDE QZAB parameters:

- Available funds:
  - 2004 - \$50.3 million
  - 2005 - \$48.956 million
  - Total Allocation for 2004/2005 - \$99,256,000
- The 2004 and 2005 allocations will be combined into one application period
- The CDE will distribute the allocations through a lottery if the program is oversubscribed
- Allocations will be distributed based on the following categories :
  - \$10 million for small school districts (enrollment of 2,500 or less)
  - \$10 million for large school districts (enrollment of 200,000 or greater)
  - \$79,256,000 will be allocated to school districts with enrollment between 2,500 and 200,000.
- Funding caps per application are set at the following:
  - \$1 million for small school districts
  - \$5 million for large school districts
  - \$5 million for school districts with enrollments between 2,500 and 200,000

*Continued on page 13*


# Good News For Districts Who Want To Save Time And Money Building Schools!

By: Robert J. Hartung, Alternative Delivery Solutions LLC

California's first design-build public school under AB 1402 has been completed and the results are in. Carmen Dragon Elementary School was a success by any standard and proved that design-build, when using "best practices", is a viable method for procuring school facilities. The final contract amount, including design and construction, was \$12,673,443, some \$26,557 less than the original contract amount.

According to a report to the Legislative Analyst's Office filed by Antioch Unified School District, the design-build method of project delivery was \$1,497,849 less expensive than traditional design-bid-build in an "apples for apples" comparison and had 2.5 months savings in project delivery time when compared to a similar project in the District procured under the traditional design-bid-build method one

year earlier. There was also approximately \$250,000 in additional value-added project enhancements realized due to the collaborative nature of the design-build process.

More information is available in the REPORT TO THE LEGISLATIVE ANALYST'S OFFICE Upon Completion of a Design-Build School Facility which may be found at the C.A.S.H. website. 

## Call for Articles

**The *CASH Register* is always accepting articles from C.A.S.H. members on topics that relate to the school building industry.**

Following are guidelines to follow when submitting an article:

- ▶ Articles must be no longer than 3 pages, typed, single-spaced (Approximately 1,000 words).
- ▶ Articles should relate to facilities issues and school maintenance.
- ▶ Articles must be general in nature and not a promotional piece about specific company or product.
- ▶ Articles can be reprinted from other sources (Please get permission in advance).
- ▶ If pictures are available, they can be used to enhance the article. Photos sent electronically should be Greyscale, .JPG files, 300dpi at 100% of the size they will be printed at (4" x 300dpi for inside photos).
- ▶ Articles must be received by the 15<sup>th</sup> of the month. Example: articles received by October 15, will appear in the October issue that is distributed in early November.

If you have an article you would like to submit, please send it to:

*CASH Register* Editorial Office  
1130 K Street - Suite 210  
Sacramento, CA 95814  
By fax to (916) 448-7495  
By e-mail to sfife@m-w-h.com

***For more information, please call the C.A.S.H. office. Other questions? Call the C.A.S.H. office at (916) 448-8577.***

# PPIC Poll on California Issues

The Public Policy Institute of California has released their most recent poll on California issues. The poll focused on the state budget issues and Governor Schwarzenegger's recommended budget and policy changes. Once again, education leads the list of issues California's citizens believe to be the most important state issue.


The following are some of the interesting polling findings:

- "Who do Californians want to make the tough choices involved in the current state budget? Thirty-five percent favor Democrats in the legislature, 29 percent prefer Governor Schwarzenegger, and 18 percent prefer Republicans in the legislature. A year ago, the governor was preferred over Democrats in the legislature by 33 percent to 27 percent. The increased support for the legislature on this dimension is notable, given that their dismal approval ratings (37%) remain virtually unchanged from one year ago. Ultimately, state residents trust themselves to make the call: 68 percent believe voters should make decisions about the budget process rather than abdicate that responsibility to the governor and legislature (27%)."
- "About six in 10 adults and likely voters think that the state should spend more money for K-12 public schools. Democrats (72%) and independents (62%) are more likely than Republicans (43%) to favor increased spending. Majorities with children (69%) and without children (56%) favor spending more on schools. Public support for more school spending declines with age, income, and education."
- "Public concern about the state's budget gap is high across all regions and political and demographic groups. Democrats (77%) and independents (71%) are more likely than Republicans (66%), whites

(74%) are more likely than Latinos (61%), and San Francisco Bay Area residents (75%) are more likely than people in other regions to think the budget gap is a big problem. Concern also increases with age, education, income, and homeownership."

- "Given the concern, what do Californians want their state government to do about the budget gap? Forty percent favor a mixture of spending cuts and tax increases; 34 percent favor mostly spending cuts. Only a few are in favor of mostly tax increases (11%) or think it is okay for the state to borrow money and run a budget deficit (6%). A year ago, support for a mixture of spending cuts and tax increases was higher (50%). The decline reflects growing support since then for mostly spending cuts (28% to 34%) and mostly tax increases (7% to 11%). Currently,

54 percent of Democrats prefer to deal with the budget gap through a mix of spending cuts and tax increases, while 41 percent of independents favor a mixture of spending cuts and tax increases, and 55 percent of Republicans prefer mostly spending cuts."

- "Californians have definite ideas about the kinds of tax increases they would accept for reducing the budget gap. Although they oppose tax increases aimed at the general public, many support increases aimed at specific groups. Seventy-four percent favor increasing taxes on the purchase of cigarettes and alcohol, and 69 percent support raising the top rate on the state income tax paid by the wealthiest Californians. In contrast, 64 percent oppose raising the state sales tax." 

## California Supreme Court Rules on Damages for Breach of Construction Contracts

The California Supreme Court has recently ruled in *Lewis Jorge Construction Management, Inc. v. Pomona Unified School District* that, "...a general contractor may not recover damages for potential lost profits which the general contractor claimed would have been earned on future construction contracts but did not due to the contractor's impaired bonding capacity." (Schools Legal Service)

Specifically, the Court reasoned that the school district's termination of the school construction contract did not directly or necessarily cause Lewis Jorge's loss of potential profit on future

contracts. The Court argued that the financial loss resulted not from the school district's action, but rather from the surety's decision to not bond Lewis Jorge.

Concerning the anticipated practical effect of the Court's decision in this case, it will now be more difficult for general contractors to recover loss of potential profits in cases against school districts and community college districts.

C.A.S.H. filed an Amicus Curie in support of the school district when this case was filed. 

~Jan Padilla

# Carrington Hall

## ***Carrington Hall resonates the rich history of California.***

Listed on the National Register for Historic Places, the eighty-year old, 900-seat theater is uniquely located on the Sequoia High School campus in Redwood City. Carrington Hall recently completed a long overdue restoration to return it to its original splendor. It is one of the finest examples of Spanish Colonial Revival architecture to be found on the San Francisco Bay Peninsula.

From 1858 to 1920 the 40-acre park-like campus had been a lush, garden estate for millionaires. The 1906 earthquake later destroyed the mansions. In 1920, the school's trustees purchased the property and the main school building and campanile were built in 1923. Before 1858, it belonged

to the Arguello family as part of the vast Las Pulgas Rancho, making the campus one of the largest remaining parcels in the county dating back to the days of Spanish land grants.

Carrington Hall is named for Otis M. Carrington, head of the music department, who came to Sequoia High School in 1907. During his 42-year tenure, Carrington wrote and published more than 40 operettas and is recognized as the leader in the operatic field of music education.

The project was funded by an education bond and fueled by Carrington Hall Auditorium Rescue Operation (CHARO), a capital campaign committee composed of school alumni and administrators and community leaders. The goal was to provide Redwood City with a performing arts

center for the rapidly growing, culturally diverse community. Despite the economic boom of Silicon Valley, Redwood City lacked venues for culture and the arts. A performing arts center for events and public gatherings was needed. Though Carrington Hall had been renovated sixty years earlier, by 1995 it was in substandard condition and presented a significant safety hazard.

Criteria for the theater included flexibility to support performances from drama to symphonies, the modernization of building systems, meeting ADA requirements, and installation of current technology. Don Gielow, Sequoia Union High School District Chief Executive Construction Manager, led the construction that began in October 2002 and completed in



January 2004 at the cost of \$8.1 million. The theater opened in February 2004.

“Sensitivity to the historic nature of the building was a major consideration and challenge. The architect adhered to historical authenticity while bringing the building into the 21<sup>st</sup> century incorporating modern advancements,” according to Keith Bautista, AIA, Principal, DES Architects + Engineers. The renovation and expansion consisted of a complete replacement of all major building systems, including heating, ventilation, mechanical, and electrical, a full seismic upgrade, ADA compliance, and additional restrooms.

Modernization included new furnishings, theatrical lighting, acoustics, sound control system, and stage electrics and rigging. The theater’s main control room was upgraded and expanded to twice its original size. This provided full accessibility compliance and a state-of-the-art center of operation for the new lighting and control system required for staging a wide variety of productions in a theater of this size. With new professional theater technology, the school can provide a curriculum in theater arts and stage management.

Original materials such as stained glass windows, columns, doors, and roof tiles were reused in keeping with the Spanish architecture of the era. Original corbels at the theater’s ceiling and archways were removed and plaster casts made so that accurate reproductions could be made to replace water damaged originals. An artist recreated decorative artwork at the stage surround that had been painted over years earlier.

Existing auditorium windows covered over years earlier, were uncovered and fully reconditioned. The refurbished windows were reinstalled according to the original design. Natural lighting could be used during select performances, reducing electrical demand.

The building was almost completely taken apart from the exterior walls



inwards to allow for a major seismic upgrade. New concrete shear walls and shotcrete reinforcement to existing interior columns and existing structural connections were upgraded without visibly altering the original appearance of the building. The main auditorium’s six original wood roof trusses, along

with the roof, were temporarily re-engineered to allow them to be raised up 12 inches, two at a time, to install new structural connections that would allow the trusses to be reconnected to the reinforced concrete columns, with new seismic connections.

*Continued on page 13*

**Principal:** Keith Bautista, AIA, SE, DES Architects + Engineers  
**Project Manager:** Daniel Ortiz, AIA, DES Architects + Engineers  
**Client:** Don Gielow, Chief Executive Construction Manager, Sequoia Union High School District



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The *CASH Register* is published 11 times a year (January through November) and is circulated to school district superintendents, business managers, facility planners, architects, maintenance personnel, contractors, developers, financial institutions, attorneys, licensed professionals, construction inspectors and consultants throughout California. Distribution is approximately 1,800 copies.

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*If you have any questions, please contact Shannon Mahoney at [sfife@m-w-h.com](mailto:sfife@m-w-h.com) or (916) 448-8577.*

# Facility Resource Center

## Lease-Leaseback

The following presentations on Lease-Leaseback can be found on the Facility Resource Center at <http://www.cashnet.org>.

- 0.8.20 "Lease, Lease-Back Projects – What Is It? \$90 M Later and It's Time for a Reality Check,"** Thomas Clark, San Marcos USD, February 2004. The do's and don'ts of lease-back are presented here along with ways to keep a win-win relationship with the team members.
- 2.2.12 "Lease, Lease-Back,"** Andreas C. Chialtas, Esq., Atkinson, Andelson, Loya, Ruud, and Romo, May 2004. This nine page description covers the design of a lease-lease back project, construction, restrictions and limitations, required documents, contractor performance, safe guards and current funding implications and proposed regulations.
- 2.2.13 "Developer Built Schools,"** Mario Contini, Fillmore USD; Richard Niec, Griffin Industries. The perspectives and benefits of developer built schools are shared here such as improved developer, district and community confidence. Other benefits include developer fee protection, Community Facility District (CFD), joint project savings, funding and master planning.
- 2.2.19 "Evaluating Project Delivery Options,"** Scot Bini, URS, August 2004. This evaluation covers design-bid-build, design-build, and construction management at risk. Also, the owner's representative is defined from the point-of-view of the owner, the architect and the general contractor.
- 2.2.20 "Assembling the Project Team,"** Dennis Dunston, HMC Architects, August 2004. The selection of a project planning team is defined here including the members and a sample RFQ.

## Californians for School Facilities Update

*Continued from page 7*

- Applications can consist of multiple projects

### Deadline to submit applications:

**March 31, 2005.** If the program is not oversubscribed, this deadline may be extended. To download the 2004-2005 Application, please visit the CDE website at: <http://www.cde.ca.gov/fg/fo/r13/documents/qzab04app.doc>

CSF would like to thank CDE/School Facilities Planning Division for their efforts and considering CSF's input on the QZAB program.

If you would like further information, please contact Emily Stone at

(916) 441-5063 or via email at [emily@s-f-c.org](mailto:emily@s-f-c.org).

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### CSF Washington D.C. Legislative Visit Scheduled for May 3-4, 2005

One of CSF's most powerful advocacy tools is its bi-annual Washington D.C. Legislative Visits. Through the Washington D.C. trips, CSF works closely with the U.S. Department of Education, the Treasury Department and members of Congress to provide a clear understanding of the school construction needs in California.

Participation in the CSF Washington D.C. Legislative Visits establishes ongoing relationships with Congress-

sional Representatives and their staff on the school construction needs in California, as well as establishes relationships with the U.S. Department of Education and other key Administration Departments.

Much due to CSF's past efforts in Washington DC, the Qualified Zone Academy Bond (QZAB) program was reauthorized for 2004 & 2005 authorizing California a total of nearly \$100 million. Please help CSF keep the momentum rolling and plan to join us on the next CSF Washington D.C. Legislative Visit scheduled for May 3-4, 2005.


For more information in the CSF Washington D.C. Legislative Visit, please contact Lisa Church at (916) 448-8577 or via email at [lchurch@m-w-h.com](mailto:lchurch@m-w-h.com). 

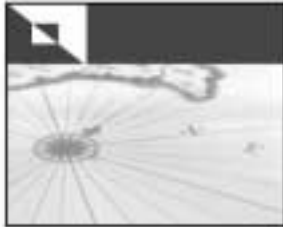
## Carrington Hall

*Continued from page 11*

The entire main auditorium stage flooring and original seating were removed to allow for a full height scaffolding system to be installed to facilitate the structural upgrade. While the flooring was removed, a new under floor ventilation system was installed that allowed air to flow freely from one end of the building to the other. An efficient hot water recirculating heating system was installed beneath the new wood floor designed to bring warmth to theater patrons without heating the entire auditorium.

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