Public School Capital Construction Assistance Board Meeting Agenda

Date & Time:
May 28, 29 & 30, 2013
8:30 a.m. – 5:00p.m.

Location:
Adams 12 Conference Center – Aspen Board Room
1500 E. 128th Ave., Thornton, CO 80241

Capital Construction Assistance Board Members:

Lyndon Burnett – Vice Chair	Pete Hall	Norwood Robb
John Conklin	Pete Jefferson	Tom Stone
Kathy Gebhardt	Greg Randall	Dave Van Sant - Chair

I. Call to order

II. Roll call

III. Approve agenda

IV. Discussion
   a) Discuss available funding for the FY2013-14 BEST grant selection meetings;
   b) Discuss the grant review & selection process and the decision memo;
   c) Review the motions that will be used for project recommendations during these meetings;
   d) Review BEST grant selection/recommendation data and criteria;
   e) Discuss conflict of interest for CCAB members and what the business rules are for this meeting;

V. Action Items
   a) Review and select BEST Grant applications to recommend to the State Board of Education for award;
   b) Review and approve FY2014-15 BEST Timeline per 22-43.7-109(2)(a) C.R.S.;
   c) Approve minutes from April 24, 2013 & May 14, 2013 meetings;

VI. Board Report

VII. Directors Report
   a) Elbert 200, Platte Valley RE-3 & Ellicott 22 Groundbreakings; Upcoming Ribbon Cuttings: Big Sandy 8/6 & E.C.C.A. 8/22

VIII. Discussion Items
   a) Thank the outgoing BEST Board Members: Greg Randall, Tom Stone, Norwood Robb & Pete Jefferson;

IX. Future meetings

The upcoming 2013 CCAB meetings scheduled are as follows:

- July __ - 1:00 p.m. Location: to be determined, a new date needs to be selected
- August 28 - 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
- September 25 - 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
- October 23 - 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
- November 7 & 14 –meetings are tentative
- November 27 - 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
- December 24 - 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203

X. Public comment

Adjournment.

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Available Funding for FY2013-14 BEST Grants

TYPE: Action Information **X**

BACKGROUND (Include any statutory authority):

There will be 2-types of grants recommended by the BEST Board:

- BEST Cash Grants. These grants are funded with available moneys in the Assistance Fund.
- BEST Lease-Purchase Grants. These grants will be financed.

After encumbering moneys in the Assistance Fund for previously awarded grants, FY2013-14 lease payments, and budgeting for FY2013-14 operations and expenses, there is **$10 million available for BEST Cash Grants**.

BEST Lease-Purchase Grants are more complicated. Pursuant to 22-43.7-110(2)(a) and (b)C.R.S., the state portion of the annual lease payment can't exceed $40 million. Currently the payment is approximately $35 million. In the last 3-months the payment increased due to a reduction in a federal subsidy the state receives as a result of using Qualified School Construction Bonds and Build America Bonds to finance some previous projects. The reduction is due to sequestration.

The State Treasurer is responsible for entering into the financing and believes there should be a $400,000 "buffer" below the $40 million cap to allow for further possible subsidy reductions. This requires that the current BEST Lease-Purchase Grant project awards don't exceed **$94M total project cost.** For example if the matching moneys are 30% match there would be $65,825,000 BEST grants and $28,175,000 match moneys.

In addition, there is approximately **$15.2 million** of unused funds on previously financed BEST Lease-Purchase Grant projects that can be awarded to new projects. These projects will require the due-diligence that new BEST Lease-Purchase Grant projects provide but no new financing will be necessary.

STAFF RECOMMENDATION

Staff recommends that new FY2013-14 BEST Grant recommendations to the State Board don't exceed:

- $10M for BEST Cash Grants
- $65,825,000 for BEST Lease-Purchase Grants plus $15.2 million to larger projects that can be collateralized.

These are maximums and the BEST Board may provide less than these maximums.

STAFF RECOMMENDED MOTION (If this is an action item)

N/A

ATTACHMENTS:

None

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Grant Application Review Process

TYPE: Action Information **X**

BACKGROUND (Include any statutory authority):

Staff and the BEST Board have reviewed and approved the attached process for reviewing the FY2013-14 BEST Grant applications and waiver requests to result in recommendations to the State Board for grant awards.

STAFF RECOMMENDATION

Staff recommends following the attached process for reviewing grant applications.

STAFF RECOMMENDED MOTION (If this is an action item)

N/A

ATTACHMENTS:

Schedule of Events for the Capital Construction Assistance Board (CCAB) May 28th-30th 2013

Proposed Schedule of Events for the Capital Construction Assistance Board (CCAB) May 28th-30th 2013

This schedule is subject to change to ensure each project is thoroughly reviewed and discussed by the CCAB

General

- **Schedule**
  a) Each day will run from approximately 8:30 a.m.-5 p.m. at the Adams 12 Conference Center – 1500 E. 128th Ave., Thornton, CO 80241 in the Aspen Board Room;
  b) It is the intent of the BEST Board to conclude the meetings by lunch on day 3, May 30th, but may extend further if necessary;
- **Breaks**
  a) There will be one 20-minute morning and afternoon break each day;

- **Lunch**
  a) There will be a 1hr 15min lunch break each day at a time that will remain flexible to stay on schedule;

- **Technology**
  a) The BEST Board will be provided with two monitors to view the grant application photos and the recommendation spreadsheet;
  b) Each BEST Board member will have a microphone to address comments or ask questions;
  c) The public will have two projection screens to view the same information as the BEST Board;
  d) The applicants will be provided a presentation table complete with three microphones to address the BEST Board;
  e) Free Wi-Fi will be available for all BEST Board members and the public;

- **Amenities**
  a) The BEST Board will have a continental breakfast, refreshments during the meeting, and lunch provided;
  b) The facility has a coffee shop and a café in house for members of the public;
     - There are also several restaurants nearby;
  c) The facility has several restrooms and breakout areas;

- **Accommodations**
  a) For BEST Board members and those participating in the meetings traveling there are nine hotels within 2 miles of the facility;

- **Board Business**
  a) The BEST Board will discuss general board matters after all the applications have been reviewed, shortlisted and scored;
  b) While general board matters are being discussed the Division will compile the scores and generate a prioritized list for discussion and finalization after general board matters conclude;

Proposed Schedule of Events for the Capital Construction Assistance Board (CCAB) May 28th-30th 2013

Project Review

- **General**
  a) Applications will be reviewed alphabetically in the following order: Supplemental applications from previously awarded projects, County, Applicant, Applicant Assigned Priority Order;
  b) Each applicant is allowed to have two representatives available to address the BEST Board and answer questions pertaining to their grant application. **This is voluntary and the application will not be penalized for having no representatives present;**
  c) A review schedule will be provided on the CDE website, with no assigned time slots, and will be updated at each CCAB break, lunch and end of day adjournment for those not in the meeting room
     - The updates will identify the status of grants reviewed and show where the CCAB is in the review schedule;
- **Individual Grant Application Review**
  a) Once a grant is up for review the Director will ask the Division technical assistance representative along with the grant application representatives to approach the review table;
  b) The Director of the Division will introduce the project (name, project title and priority #), then the applicant's presenters;
  c) The Division technical representative will discuss the following items with the CCAB:
     - Is the Project a Health/Safety, Overcrowding, Technology or Other Project;
     - Assessment Findings;
     - Urgency;
     - Red Flags;
     - Financial Indicators;
     - Guideline Compliance;
     - Planning;
     - Ability to help themselves (capacity);
     - Number of students impacted by the grant;
  d) Following the staff introduction, the application representative(s), and if they have a representative(s) available will be given a two minute window to address & present to the CCAB;
     - This presentation should include any items the applicant wishes to address pertaining to the project;
     - No visual materials will be allowed for this presentation;
  e) Following the Division staff and applicant summary the BEST Board will discuss and ask questions.
  f) After the CCAB has reviewed the grant application and all topics have been discussed and questions are answered, the CCAB can either;
     - Make a motion to move the project to either the cash or lease-purchase short-list of projects
       - Votes will be counted and recorded;
     - Make no motion and the project will not move forward in the selection process;
       - If no motion is made, or if the CCAB votes to not put a project on the shortlist, the CCAB will provide the reason for no motion or no vote and complete a decision memo (sample attached);
  g) If a project is recommended to the shortlist and there is a waiver requested, the following actions will occur:
     - Review and move to approve or not approve the waiver request;
     - Statutory waivers will be automatically approved;
  h) The next grant application will be reviewed and the previous steps will be repeated.

Proposed Schedule of Events for the Capital Construction Assistance Board (CCAB) May 28th-30th 2013

Day 1, May 28 – Start Time 8:30 AM

8:30 – 9:30 AM

- Discuss grant application review process, target amounts for cash and lease-purchase projects, terms used in summary book and procedures to avoid conflicts of interest.

9:30 AM – Projects for review

PROWERS	LAMAR RE-2	SUPPLEMENTAL HVAC Upgrades @ 2 ES & 1 MS
ADAMS	New America School - Mapleton	Renovate a Vacant Albertsons Into a HS
ADAMS	STRASBURG 31J	HS Security Improvements
ADAMS	WESTMINSTER 50	ES Roof Replacement
ADAMS	WESTMINSTER 50	ES Roof Replacement
ARAPAHOE	ADAMS-ARAPAHOE 28-J	Replace Existing MS
ARAPAHOE	ADAMS-ARAPAHOE 28-J	Enclosed Walkway at MS
ARAPAHOE	AXL Academy	New PK/ES/MS
ARAPAHOE	BYERS 32J	K-8 Partial roof Replacement
ARAPAHOE	Littleton Academy	ES/MS HVAC Upgrade & Roof Replacement
BENT	LAS ANIMAS RE-1	Jr/Sr HS Dr & Window Replacement/Office Security Renovation
BOULDER	Twin Peaks Charter Academy	K-12 Tennant Finish (Classrooms)
BOULDER	Twin Peaks Charter Academy	K-12 Tennant Finish (4-Classrooms & Locker Room Upgrade)
CONEJOS	NORTH CONEJOS RE-1J	HS Restroom ADA Upgrade & Renovation
CONEJOS	SOUTH CONEJOS RE-10	PK-12 School Replacement
CSI	Animas High School	New HS

Break for lunch ~12:00 PM

CSI	Caprock Academy	PK-12 Site Improvements
CSI	Colorado Springs Charter Academy	ES Boiler Replacement
CSI	Ross Montessori Charter School	K-8 School Replacement
DELTA	DELTA 50(J)	Jr/Sr HS Roof Replacement
DELTA	DELTA 50(J)	HS Partial Roof Replacement
EL PASO	ACADEMY 20	HS Boiler Replacement
EL PASO	CIVA Charter Academy	HS RTU Replacements
EL PASO	COLORADO SPRINGS 11	Replace Fire Alarm at 2 MS
EL PASO	COLORADO SPRINGS 11	HS Boiler Replacement
EL PASO	COLORADO SPRINGS 11	ES Traffic & Pedestrian Safety Improvements
EL PASO	EDISON 54 JT	Jr/Sr HS Renovation and Addition
EL PASO	James Irwin Charter School	ES/MS/HS Security Improvements
EL PASO	LEWIS-PALMER 38	HS Roof Replacement
EL PASO	PEYTON 23 JT	ES HVAC & Security Upgrade
EL PASO	The Classical Academy	ES Misc repairs
EL PASO	WIDEFIELD 3	ES Renovation and Addition
ELBERT	ELIZABETH C-1	HS Roof Replacement
ELBERT	ELIZABETH C-1	ES Roof Replacement
FREMONT	CANON CITY RE-1	MS Fire Alarm Replacement
JACKSON	NORTH PARK R-1	Entry Security Vestibule & Re-Key Doors
JACKSON	NORTH PARK R-1	Enclosed Corridor to Connect 2 Buildings
JEFFERSON	Free Horizon Montessori	PK-8 Roof/RTU/Site work Project
LARIMER	THOMPSON R-2J	ES Roof Replacement
LARIMER	THOMPSON R-2J	HS Athletic Field Bleacher Replacement

End of Day 1 ***(give or take ½ hour)***

Proposed Schedule of Events for the Capital Construction Assistance Board (CCAB) May 28th-30th 2013

Project reviews that will be on Day 2, May 29

LAS ANIMAS	KIM 88	Renovation and Addition to PK-12 School
LINCOLN	LIMON RE-4J	New PK-12 School and Gym Renovation
LOGAN	VALLEY RE-1	PK-12 Potable Water Storage and Treatment
LOGAN	VALLEY RE-1	PK-12 Wastewater Treatment Plant Upgrade
MESA	Independence Academy	K-8 School Replacement
MINERAL	CREEDE 1	PK-12 School Replacement
MOFFAT	MOFFAT COUNTY RE:NO 1	Renovation/Repair At 2 ES
MONTROSE	MONTROSE RE-1J	MS Replacement
MORGAN	FT. MORGAN RE-3	MS Replacement
PHILLIPS	HAXTUN RE-2J	K-12 Renovation and Addition
PHILLIPS	HOLYOKE RE-1J	District wide Security Upgrade
PUEBLO	PUEBLO CITY 60	HS Ventilation Upgrades
PUEBLO	Swallows Charter Academy	New PK-12 School
SAGUACHE	MOFFAT 2	PK-12 School replacement
SAGUACHE	MOUNTAIN VALLEY RE 1	PK-12 Door Rekey
SAGUACHE	MOUNTAIN VALLEY RE 1	PK-12 Gym Bleacher Replacement
WASHINGTON	LONE STAR 101	PK-12 Water Treatment System
WELD	GILCREST RE-1	Security Upgrades @ 6 Schools
WELD	GREELEY 6	HS ACM Abatement
WELD	PAWNEE RE-12	PK-12 School Renovations/Addition

Day 2, May 29 – finish reviewing all projects before lunch at 12:00 PM

Review of All Shortlisted Grant Applications

- Once all of the projects have been reviewed, the director and the CCAB will conduct final discussions/questions;
- Once all discussions have concluded, the scoring sheets for each list will be passed out by the Division to the CCAB so they can rank each project;
- After the CCAB has ranked each project, Division staff will input all scores for each member into a spreadsheet. During this time the CCAB will conduct any Board business;
- Once all of the projects have been ranked, totals will be tallied and then be divided by the number of members who voted;
- Next, the projects will be sorted by rank from highest to lowest;
- The CCAB will review each of the lists and see if there are any projects that need to be reconsidered or moved to the other list at this time;
- The total amount of funding that was previously identified will be made clear;
- On the prioritized lists, a line will be drawn at the set amount of available funding (State share) and the CCAB will review and make final motions to approve each list;
- Back-up projects for lease-purchase and cash grants will be selected, in the order they were ranked. The CCAB will determine which projects should be considered a lease-purchase or cash grant back-up and make final motions to approve back-ups for each list.

Proposed Schedule of Events for the Capital Construction Assistance Board (CCAB) May 28th-30th 2013

Decision Memo Example:

Applicant: **Project Name:**

Board Member: **Voted:** □ **YES** or □ **NO** or supported **NO MOTION**

Statutory Need - Pursuant to 22-43.7-109(5) C.R.S., applications shall be prioritized deemed eligible based on the following criteria in descending order of importance. Please select **all** that apply from the list below:

□ Yes / □ No The project addresses safety hazards or health concerns; including concerns relating to public school facility security;

□ Yes / □ No Looks to relieve overcrowding &/or will allow students to move from temporary facilities into permanent facilities;

□ Yes / □ No The project is designed to incorporate technology into the educational environment ;

□ Yes / □ No All other projects.

Statewide Assessment □ Yes / □ No The Statewide Assessment supported the needs of the project;

Other comments: - Other comments you have about why you do not think the project should be funded:

If applicable:**A statutory waiver request has been provided. The district will be maximizing their bonding capacity*

If applicable:

Waiver: There is a waiver request, and the waiver request is not statutory.

□ Yes / □ No - Support waiver request.

□ Yes / □ No - Applicant demonstrated that pursuant to 22-43.7-109(10)(b) C.R.S. the waiver would significantly enhance educational opportunity and quality within a school district, charter school, BOCES, or CSDB.

□ Other comments in support or non-support:

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Review motions for FY2013-14 BEST Grant selection meetings

TYPE: Action Information **X**

BACKGROUND (Include any statutory authority):

There will 4 different motions needed for the FY2013-14 BEST Grant selection meetings:

To move a project to the shortlist:
"I move to add (applicants name)'s project to the (cash) or (lease-purchase) shortlist."

To approve a waiver
"I move to approve (applicants name)'s waiver request."

Final Approval for BEST Cash Grant Recommendations:
"I move to direct Division staff to submit the prioritized list of (#) BEST Cash grant projects to the State Board based on the eligibility recommendations presented on the chart, subject to the availability of funds and financing and any other noted conditions, with any adjustments to the grant amount and match amount as may be imposed by C.R.S. 22-43.7-109(10)(a)."

Final Approval for BEST Lease-Purchase Grant Recommendations:
"I move to direct Division staff to submit the prioritized list of (#) BEST Lease-Purchase grant projects and (#) BEST Lease-Purchase back-up grant projects to the State Board based on the eligibility recommendations presented on the chart, subject to the availability of funds and financing and any other noted conditions, with any adjustments to the grant amount and match amount as may be imposed by C.R.S. 22-43.7-109(10)(a)."

STAFF RECOMMENDATION

Read appropriate motion(s) exactly as stated above during the grant selection meetings.

STAFF RECOMMENDED MOTION (If this is an action item)

N/A

ATTACHMENTS:

None

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Discussion of BEST Statutory Requirements for BEST Board Review of Grant Applications and Data Provided for Review of Grant Applications

TYPE: Action Information **X**

BACKGROUND (Include any statutory authority):

Pursuant to 22-43.7-109 C.R.S. there are certain evaluation criteria for BEST grant applications:

- 22-43.7-109(a) C.R.S. – The BEST Board may only provide financial assistance for a project for a facility that the applicant owns or will have the right to own in the future under the terms of a lease-purchase agreement with the owner of the facility or a sublease with the state pursuant to 22-43.7-110(2) C.R.S.
- 22-43.7-109(b) C.R.S. – The BEST Board may provide financial assistance to a charter school that first occupies a facility on or after 5/22/2008 only if the facility complied with the Facility Guideline Rules addressing health and safety issues.
- 22-43.7-109(5) C.R.S. – The BEST Board shall consider the Facility Assessment when prioritizing applications and will prioritize in the following order. Projects that address:
  1) Safety hazards, health concerns, security concerns. The condition of the entire facility should be considered to determine if it would be more fiscally prudent to replace the facility instead of repair it.
  2) Relieve overcrowding, including but not limited to moving out of temporary facilities into permanent facilities.
  3) Incorporation of technology into the educational environment.
  4) All other.
- 22-43.7-109(7) C.R.S. – The BEST Board shall submit a prioritized list of projects to the State Board which includes:
  - Amount of grant.
  - Type of grant.
  - Source and amount of matching moneys.
  - Back-up projects if a higher prioritized project becomes ineligible.
- 22-43.7-109(9) C.R.S. – The criteria for local matching moneys to the BEST grants are provided. The match percentage can't exceed the bonding capacity of a school district.
- 22-43.7-109(10) C.R.S. – The BEST Board may grant a waiver or reduction of the matching moneys requirement if they determine that waiver or reduction would significantly enhance the educational opportunity and quality.
- 22-43.7-109(11) C.R.S. – The BEST Board shall seek to be as equitable as practicable by considering the total financial capacity of each applicant.
- 22-43.7-109(12) – The match percentage for a charter school calculated shall not be higher than the highest match percentage for a school district or lower than the lowest match percentage for a school district.

STAFF RECOMMENDATION

The book titled *Summary of Building Excellent Schools Today (BEST) FY2013-14 Grant Applications Received on March 1, 2013* includes data, information, and documentation necessary for the BEST Board to comply with the above statutes. The layout of the summary book, the data provided, and how it relates to the statute will be reviewed by the BEST Division Director.

STAFF RECOMMENDED MOTION (If this is an action item)

N/A

ATTACHMENTS:

None

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Conflict of interest for CCAB members and what the business rules are for this meeting

TYPE: Action Information **X**

BACKGROUND (Include any statutory authority):

The BEST Board has developed conflict of interest rules, BEST Rules 1 CCR 303-3. Section 3.1.3 of the rules addresses Board member actions when reviewing applications for recommendation to the State Board for approval as follows:

3.1.3. In regard to Board members avoiding potential conflicts of interest in evaluation of and voting on Applications:

3.1.3.1. If a Board member's firm has no prior contact regarding the Project included in an Application, the Board member may appropriately vote on the Application;

3.1.3.2. No Board member shall participate in the Board's evaluation process, including voting, for any Application when the Board member's firm has had prior contact with the Applicant directly related to the Project or Application;

3.1.3.3. At all times Board members must exercise judgment and caution to avoid conflicts of interest and/or appearance of impropriety, and should inform the Division staff of any questionable situation that may arise. A Board member may recuse himself or herself from any vote.

STAFF RECOMMENDATION

Adhere to the conflict of interest guidelines approved in the BEST Rules 1 CCR 303-3 and notify the CCAB verbally when you will be recusing yourself from discussion and voting.

STAFF RECOMMENDED MOTION (If this is an action item)

N/A

ATTACHMENTS:

None

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Selecting Grant Applications to Recommend to the State Board for Approval

TYPE: Action **X** Information

BACKGROUND (Include any statutory authority):

Pursuant to 22-43.7-106(2)(c) C.R.S. one of the BEST Board's responsibilities is to review applications for BEST financial assistance and submit a prioritized list of projects to receive financial assistance with the amount and type of assistance, to the State Board and Capital Development Committee (CDC) for approval.

STAFF RECOMMENDATION

Staff recommends each of the BEST Grant applications be reviewed as discussed in Agenda Item IV.b and projects be selected to recommend to the BEST Board.

STAFF RECOMMENDED MOTION (If this is an action item)

For BEST Cash Grants:

I move to direct Division staff to submit the prioritized list of ___ BEST Cash grant projects to the State Board based on the eligibility recommendations presented on the chart, subject to the availability of funds and financing and any other noted conditions, with any adjustments to the grant amount and match amount as may be imposed by C.R.S. 22-43.7-109(10)(a).

For BEST Lease-Purchase Grants:

I move to direct Division staff to submit the prioritized list of ___ BEST Lease-Purchase grant projects and ___ BEST Lease-Purchase back-up grant projects to the State Board based on the eligibility recommendations presented on the chart, subject to the availability of funds and financing and any other noted conditions, with any adjustments to the grant amount and match amount as may be imposed by C.R.S. 22-43.7-109(10)(a).

ATTACHMENTS:

None

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Review and approve FY2014-15 BEST Timeline

TYPE: Action **X** Information

BACKGROUND (Include any statutory authority):

Pursuant to 22-43.7-109(2)(a) C.R.S. the BEST Board is responsible for establishing the timeline for applicants applying for BEST grants. The BEST Timeline is a tool used to show key dates pertaining to the BEST Program. Important dates include: Last date for charter schools to notify authorizer, when the BEST Grant application opens, time needed for summary review, when the summary book will be distributed, and the meeting dates for the grant application approval from the CCAB, State Board and the CDC (Capital Development Committee).

STAFF RECOMMENDATION

Review the FY2014-15 BEST Timeline, confirm dates and approve or make changes as needed.

STAFF RECOMMENDED MOTION (If this is an action item)

I move to approve the FY2014-15 BEST Timeline as presented.

ATTACHMENTS:

FY2013-14 BEST Timeline

BEST Financial Assistance Cycle Timeline FY2014-15

October | November | December | January | February | March | April | May | June | July | August | September

BEST Division Technical Assistants offer assistance by conducting site visits to prioritize needs, define project scope, recommending delivery methods, contacting vendors to help with planning and help create a balanced project for the district or school.

September - November 2013
BEST Division sends out notification for upcoming grant cycles, performs workshops and webinars

December 2, 2013 - January 31, 2014
Application for financial assistance open to applicants

February 3, - April 22, 2014
Division reviews and summarizes applicants grant requests

April / May 2014
CCAB reviews summary book

June 2014
State Board Meeting to approve BEST Board recommendations

July 2014
Capital Development Committee Meeting to approve State Board recommendations

NEXT CYCLE BEGINS

September 30, 2013
Last date for charter schools to notify authorizer

April 23, 2014
The summarized applications are put into a summary book and distributed to the CCAB

May 20-22, 2014
CCAB Meetings to make recommendations to the State Board for award

October | November | December | January | February | March | April | May | June | July | August | September

CAPITAL CONSTRUCTION ASSISTANCE BOARD MINUTES OF THE APRIL 24, 2013 MEETING

Meeting held at:
201 East Colfax, Denver, CO 80203
State Board Room, 101

I. Call to Order

- 1:18 p.m. Dave Van Sant called the meeting to order.

II. Roll Call

- **Attendees**

Dave Van Sant – CCAB Chair
Lyndon Burnett – CCAB Vice-Chair
Norwood Robb – CCAB
Pete Hall – CCAB
Greg Randall – CCAB
Kathy Gebhardt – CCAB
John Conklin – CCAB
Erica Weston– CCAB Legal Advisor
Ted Hughes – Staff (CDE)
Kevin Huber – Staff (CDE)
Scott Newell – Staff (CDE)
Wendi Chapin - Staff(CDE)
Kristin Lortie – Staff (CDE)
Jay Hoskinson - Staff (CDE)
Cheryl Honigsberg – Staff (CDE)
Dustin Guerin – Staff (CDE)

- **Excused**

Tom Stone – CCAB
Pete Jefferson – CCAB

III. Approve Agenda

- CCAB Chair asked for a motion to approve the agenda;
  - So moved by Lyndon Burnett;
  - John Conklin 2nd the motion;
  - Discussion: Kathy Gebhardt asked to amend the agenda to add an item to the end of discussion topics: How items should be presented to the Board. The CCAB agreed.
  - Motion to approve the amended agenda carried unanimously.

IV. Approve Minutes from March 27 Meeting

- CCAB Chair asked for a motion to approve the minutes from the previous CCAB meeting;
  - So moved by Lyndon Burnett;
  - Pete Hall 2nd the motion;
  - No discussion;
  - Motion to approve the minutes carried unanimously.

V. Board Report

- The CCAB Chair updated the CCAB on Senate Bill 13-260. The CCAB Chair told the CCAB there was language in the bill that would have taken funds from BEST and that the bill has been amended to remove that language.

- The CCAB Chair updated the CCAB on Senate Bill 13-214, Senator Schwartz's bill. The CCAB Chair told the CCAB about the two main items of the bill: oversight by the Capital Development Committee (CDC) and maintaining a reserve of one year's worth of the lease payments. Ted Hughes

noted that the CDC will have to follow the same criteria as the State Board that is currently in statute in order to reject or approve the list. The CCAB discussed the bill further.

VI. Directors Report

- Ted Hughes told the CCAB about upcoming groundbreakings at Elbert 200 and Ellicott 22 and a ribbon cutting for Big Sandy 100J.

VII. Action Item

- Review and approve a policy on the return of financed matching money on BEST lease-purchase grants, when the project is complete and under budget. The CCAB Chair asked Attorney General, Heidi Dineen, to discuss her memo that was sent to the Board regarding her opinion on the matter. Heidi Dineen reviewed the memo with the CCAB, discussing the repayment amounts, the debt schedule, federal subsidies and how sequestration has affected the amounts to be repaid. A CCAB member asked if the sublease could be amended so remaining funds could be spent by the grantee for other projects they would like to complete. Heidi Dineen noted it depends on the language in the ballot measure and what restrictions are included in the measures. Heidi Dineen noted that bonding attorneys have been consulted and stated that the bonds can be amended, but that the leftover funds would go back to the taxpayers.

  A CCAB member asked about timeframes that the money has to be spent in. Heidi Dineen noted the timeframes and how the FY2009-10 projects were currently out of compliance. Ted Hughes clarified what ineligible expenses were and how they are eligible for the project, but not eligible under the guidelines of the types of financing used.
  - Norwood Robb made a motion to accept the proposed policy;
  - Lyndon Burnett 2nd the motion;
  - Discussion: A CCAB member suggested looking at each project on a case by case basis. The CCAB Chair introduced Brett Johnson, Deputy State Treasurer, and asked if he had anything to add. Brett Johnson told the CCAB his stance had not changed from the previous meeting. The CCAB discussed the policy and if the grantees were aware of the decision. Ted Hughes told the CCAB a policy needed to be adopted before the grantees were notified;
  - Vote: 5 yes, 2 no. Motion carried.

- Review and establish a policy on bulletproof and impact resistant glass. Ted Hughes told the CCAB the Division had received numerous grants that included bulletproof and impact resistant glass and asked the CCAB to make a decision on how the requests should be handled. Ted Hughes reviewed a list of options with the CCAB. The CCAB discussed each of the options and considered if adding bulletproof and impact resistant glass was the correct solution. A CCAB member asked what schools would do while their children were on a bus or out on the playground. The CCAB discussed costs associated with installing bulletproof and impact resistant glass. Some members suggested a threshold as to what could be funded, while others said there was not a “one size fits all” and that it would need to be looked at on a case by case basis.
  - Norwood Robb made a motion that BEST funds will not be used to pay for any bulletproof and impact resistant glass and if the applicant wanted to upgrade to bulletproof and impact resistant glass, the cost would be 100% theirs.
  - John Conklin 2nd the motion;
  - No discussion;
  - Motion carried unanimously.

VIII. Discussion Items

- Brief update to the BEST Board regarding Eagle Net. The CCAB Chair gave an update on the status of Eagle Net and the background of the issues. The CCAB Chair said there are funding and political implications. A CCAB member asked if there would be any impact on BEST. The CCAB Chair said he would not know until the end of summer.

- FY2012-13 grant selection meeting survey results. The CCAB briefly reviewed the results and a CCAB member asked about what changes have been made. Ted Hughes told the CCAB how the Division has reviewed the results and incorporated them into the grant review process. Ted Hughes said one of the major changes was getting more information from the Board on projects that were not recommended. A CCAB member stated that he thought it was important for applicants to know reasons surrounding their decisions. A CCAB member suggested sending the results of the survey to the Joint Budget Committee and other assemblies.

The CCAB Chair called for a short break; 2:40-2:50 p.m.

- Discuss and review the BEST Assistance Fund Expense and Revenue Report. Wendi Chapin with the Division staff briefly reviewed the BEST Assistance Fund Expense and Revenue Report with the CCAB.

- Discussion pertaining to the grant application review process, the schedule and the amounts available for grants. The CCAB Chair stated he was happy with the process and did not think any changes needed to be made. Ted Hughes reviewed the schedule and confirmed with the Board that they were ok with it. Ted Hughes reviewed the decision memo with the CCAB noting all Board members would have to do is check boxes and provide any comments they may have.

- Aspen Community Charter School (ACCS) update. Scott Newell informed the CCAB that ACCS had sent a letter certifying they had received all of their matching funds for their FY2012-13 project.

- Rocky Mountain Deaf School update. Scott Newell told the CCAB that the Division had received the school's purchase agreement and the land lease. Scott Newell told the CCAB the documents were both adequate and that the Division is on board with the school to proceed with the project.

- Centennial R-1's new PK-12 new school project heating system update. Ted Hughes informed the CCAB about issues surrounding the heating, ventilation and air conditioning. Ted Hughes told the CCAB that he was going to attend the district's next board meeting.

- Dolores RE-4A's FY2012-13 BEST grant project update. Ted Hughes discussed budget issues surrounding the project. Scott Cooper, district superintendent and Jim Ketter, the owner's representative for the project presented to the CCAB. Scott Cooper told the CCAB the project was 50% over budget, noting that the hard costs were much more than expected. Jim Ketter reviewed a presentation with the CCAB discussion the budget gap summary, how scope was cut out of the project and how the district has been approved to contribute $750,000 of their own funds to cover budget issues. The CCAB discussed the issues and the differences between hard and soft costs. Jim Ketter stated that the master plan used RS Means as a guide to determine costs, but that he feels it underestimates costs 10-20% for southwest Colorado.

  Ted Hughes told the CCAB about the grant reserve and how the issue is not for an unforeseen condition. Ted Hughes suggested the CCAB develop a grant reserve policy and agreed that there were some serious mistakes made regarding costs for the project and suggested that the CCAB make

an exception. The CCAB discussed the reserve amount and the amount being requested from the district. Scott Cooper noted that the project was $1.4 million over budget and that the district would provide $750,000. The CCAB discussed the options, noting they could authorize the use of reserve funds or have the district come back for a supplemental grant in FY2014-15. Ted Hughes noted how an emergency grant was not an option.

- The CCAB Chair made a motion to allow a one-time exception for the district to use up to $289,000 of their reserve for budget issues regarding the project;
- Pete Hall 2nd the motion;
- No discussion;
- Motion carried unanimously.

- Lake RE-1's FY2012-13 BEST grant project update. Ted Hughes explained the situation to the CCAB, noting it was a similar situation to Dolores RE-4A. Chris Guarino, with Consilium Partners, the owner's representative for the project addressed the CCAB. Chris Guarino told the CCAB about the project and how the master plan was missing over 10,000 square feet. Chris Guarino told the CCAB the possible solutions and the amounts needed to cover the square foot issues. Ted Hughes noted that since this was lease-purchase project, that the scope could not be cut. Chris Guarino told the CCAB the district would need an additional $1.8 million to meet the sublease specifications.

  The CCAB discussed their concerns with the project and their thoughts on how important it is for master plans to be accurate. The CCAB noted how they are upset that no one is being held accountable for the mistake and thinks that some of the districts are being taken advantage of. The CCAB decided they needed more time to make a decision and requested that the topic be discussed at a special meeting in May. Wendy Wyman, Lake's superintendent, told the CCAB how revitalized the community is that they received this project, noting how important it is to them.

IX. Future Meetings

- The upcoming CCAB meetings were announced and the CCAB Chair asked that another meeting be scheduled before the May grant selection meetings to finish the remaining items on the agenda.

X. Public Comment

- The CCAB Chair asked if there was anyone who had questions or would like to speak from the public. There were none.

XI. Adjournment

- The CCAB Chair asked for a motion to adjourn;
  - So moved by Norwood Robb;
  - Dave Van Sant 2nd the motion;
  - No Discussion;
  - Motion carried unanimously;
  - Meeting adjourned 4:05 p.m.

CAPITAL CONSTRUCTION ASSISTANCE BOARD MINUTES OF THE MAY 13, 2013 MEETING

Meeting held at:
201 East Colfax, Denver, CO 80203
State Board Room, 101

I. Call to Order

- 2:00 p.m. Dave Van Sant called the meeting to order.

II. Roll Call

- **Attendees**

Dave Van Sant – CCAB Chair	Ted Hughes – Staff (CDE)
Lyndon Burnett – CCAB Vice-Chair	Kevin Huber – Staff (CDE)
Norwood Robb – CCAB	Scott Newell – Staff (CDE)
Tom Stone – CCAB	Wendi Chapin - Staff(CDE)
Greg Randall – CCAB	Kristin Lortie – Staff (CDE)
Kathy Gebhardt – CCAB	Jay Hoskinson - Staff (CDE)
John Conklin – CCAB	Cheryl Honigsberg – Staff (CDE)
Erica Weston– CCAB Legal Advisor	Dustin Guerin – Staff (CDE)

- **Excused**

Pete Hall – CCAB	Pete Jefferson – CCAB

III. Approve Agenda

- CCAB Chair asked for a motion to approve the agenda;
  - So moved by Norwood Robb;
  - Tom Stone 2nd the motion;
  - No discussion
  - Motion to approve the agenda carried unanimously.

IV. Board Report

- A CCAB member updated the CCAB on Senate Bill 13-213. The CCAB member told the CCAB the bill would take effect in 2015 and that it would go on the ballot in 2013. The CCAB member told the CCAB that the bill included a tax increase and that if the ballot measure passed BEST could benefit from the one-time lump sum payment. The CCAB member stated projections were from $400-$600 million, of which half would have to go towards Pre-Kindergarten / Kindergarten facilities. Ted Hughes noted that the bill also included per pupil allocations for charter school students.

- A CCAB member updated the CCAB on Senate Bill 13-260. Ted Hughes noted that the bill was signed and that it would increase the Charter School Capital Construction grant program from $6 million to $7 million.

- The CCAB Chair updated the CCAB on Senate Bill 13-214, noting that it would add an extra step to the grant recommendation / approval process.

- Ted Hughes told the CCAB about Senate Bill 13-279, and energy bill that uses the BEST construction guidelines for energy performance standards that are proposed to be implemented for school districts. Ted Hughes told the CCAB the bill does not say who is going to monitor the program.

V. Directors Report

- Ted Hughes told the CCAB that Aspen Community Charter School had raised their full match and that he attended a kick-off meeting for their new project.

- Ted Hughes told the CCAB that Platte Valley RE-3 would be having a groundbreaking for their BEST project.

VI. Presentation

- Presentation from the Charter School Institute (CSI) regarding challenges of State authorized charter schools. Ted Hughes introduces Tom McMillian with the Charter School Institute. Tom McMillian reviewed his presentation with the CCAB. Tom McMillian told the CCAB the CSI oversees 23 schools and that they are expecting 5 new school next year. Tom McMillian told the CCAB that CSI schools have no access to mill levies or bonds and that the schools must rely on fund raising to acquire most of their funds.

VII. Action Item

- Lake RE-1's FY2012-13 BEST grant project update. *Tom Stone recused himself from the discussion and left the boardroom.* Wendy Wyman, the district superintendent talked to the CCAB about the district's community and their involvement with the project. Wendy Wyman told the CCAB that they have looked at their own funds to help with the issue of their grant being over budget and stated that the funds have to be used for other pertinent issues at their elementary school. Wendy Wyman introduced her project team. The team presented the facts and stated the issues surrounding the project to the CCAB. The project team discussed all of the possible solutions that had been reviewed and how they had a third party estimator complete second review of costs and that they were in line with the project team's estimates.

  The CCAB discussed the project scope and the proposed solution. The Lake project team told the CCAB the new proposed plan would deliver the same programs in a more efficient building. The CCAB Chair talked about the original grant application and noted how he felt the project was different from what was originally proposed, a few Board members agreed. The CCAB further discussed their opinions on the new proposed solution. Ted Hughes told the CCAB that project plans often change during the design process, Ted Hughes told the CCAB that the grant applications are very conceptual and that everything is not spelled out. Ted Hughes said that footprints are changed, but the number of classrooms does not change.
  - Norwood Robb made a motion to approve the use of $1.8 million in grant reserve moneys to successfully complete the project.
  - John Conklin 2nd the motion;
  - Discussion: the CCAB discussed the remaining grant reserve balance of $650, 000 and if the project team was comfortable with it. The project team said they had conducted some soils tests as well as eliminating some abatement costs that could have been unforeseen conditions. Ted Hughes noted that all issues have not been figured out, but that a lot of investigating has been completed to minimize any unforeseen conditions.
  - Vote: 5 yes, 1 no. Motion carried.

The CCAB discussed their concerns with poor planning and poor leadership. The CCAB discussed options of requesting blueprints or using a 2 part grant system with planning grants. The CCAB discussed issues surrounding local control.

The CCAB Chair called for a break. 3:25-3:32 p.m.

VIII. Discussion Items

- Discussion pertaining to grant application review process: the decision memo. The CCAB discussed the decision memo and discussed the information it contained. The CCAB decided to reduce the amount of information included on the decision memo to only include statutory information and waiver information. The CCAB agreed. The CCAB requested that the decision memo be given to them before the meetings while they are reviewing the summary book.

IX. Future Meetings

- The upcoming CCAB meetings were announced and the CCAB Chair noted that the July meeting would have to be rescheduled due to a scheduling conflict with the Colorado Association of School Executives meetings.

X. Public Comment

- The CCAB Chair asked if there was anyone who had questions or would like to speak from the public.

- Todd Snidow with George K. Baum talked to the CCAB regarding wording used in ballot questions for schools going for bonds and that it is sometimes hard for districts to find a good balance as to what should be included in the ballot.

XI. Adjournment

- The CCAB Chair asked for a motion to adjourn;
  - So moved by Norwood Robb;
  - Tom Stone 2nd the motion;
  - No Discussion;
  - Motion carried unanimously;
  - Meeting adjourned 3:54 p.m.

PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE BOARD AGENDA SHEET

MEETING DATE: May 28-30, 2013

SUBJECT: Outgoing BEST Board Members

TYPE: Action Information **X**

BACKGROUND (Include any statutory authority):

Four BEST Board members will be leaving the Board due to term limits or for personal reasons:

- Pete Jefferson – professional engineer appointed by the Governor
- Greg Randall – original member of the Board and is a superintendent appointed by the State Board
- Norwood Robb – original member of the Board and has technology expertise appointed by the minority leaders of the State House and Senate
- Tom Stone – original member of the Board and is a construction manager appointed by the Governor

STAFF RECOMMENDATION

Thank these members of the BEST Board for their service.

STAFF RECOMMENDED MOTION (If this is an action item)

N/A

ATTACHMENTS:

None