CALIFORNIA STATE ALLOCATION BOARD
PUBLIC MEETING

STATE CAPITOL
ROOM 4202
SACRAMENTO, CALIFORNIA  95814

DATE:  WEDNESDAY, OCTOBER 24, 2018
TIME:  2:05 P.M.

Reported By:  Peter Petty
eScribers
APPEARANCES:

MEMBERS OF THE BOARD PRESENT:

JACQUELINE WONG-HERNANDEZ, Chief Deputy Director, Policy, Department of Finance, designated representative for Michael Cohen, Director, Department of Finance

JEFFREY McGUIRE, Chief Deputy Director, Department of General Services, designated representative for Daniel Kim, Director, Department of General Services

CESAR DIAZ, Appointee of Edmund G. Brown, Jr., Governor of the State of California

TOM TORLAKSON, Superintendent of Public Instruction, Department of Education

SENATOR JANET NGUYEN

SENATOR RICHARD PAN

ASSEMBLYMEMBER ADRIN NAZARIAN

ASSEMBLYMEMBER ROCKY CHAVEZ

ASSEMBLYMEMBER PATRICK O'DONNELL

REPRESENTATIVES OF THE STATE ALLOCATION BOARD PRESENT:

LISA SILVERMAN, Executive Officer

REPRESENTATIVES OF THE DEPARTMENT OF GENERAL SERVICES, OFFICE OF PUBLIC SCHOOL CONSTRUCTION (OPSC) PRESENT:

LISA SILVERMAN, Executive Officer
BARBARA KAMPMEINERT, Deputy Executive Officer

REPRESENTATIVE OF THE DEPARTMENT OF GENERAL SERVICES, OFFICE OF LEGAL SERVICES PRESENT:

TOM PATTON, Assistant Chief Counsel
CHAIRPERSON WONG-HERNANDEZ: Good afternoon, everyone. We're going to call to order the meeting of the State Allocation Board. Secretary, will you please call the roll.

MS. JONES: Senator Allen.
Senator Nguyen.
Senator Pan.
Assemblymember Nazarian.
ASSEMBLYMEMBER NAZARIAN: Present.
MS. JONES: Assemblymember Chavez.
ASSEMBLYMEMBER CHAVEZ: Here.
MS. JONES: Assemblymember O'Donnell.
ASSEMBLYMEMBER O'DONNELL: Here.
MS. JONES: Tom Torlakson.
MR. TORLAKSON: Here.
MS. JONES: Cesar Diaz.
MR. DIAZ: Here.
MS. JONES: Jeffrey McGuire.
MR. McGUIRE: Here.
MS. JONES: Jacqueline Wong-Hernandez.
CHAIRPERSON WONG-HERNANDEZ: Here.
MS. JONES: And we have a quorum.
CHAIRPERSON WONG-HERNANDEZ: Thank you. So we
have something special planned this afternoon. Before we
start our agenda items, we'd like to take a moment to thank
two members for their service to the Board who will be
coming off of the Board. And we have some resolutions, so
if everyone would indulge me for a few minutes.

I'd like to start by presenting a resolution to
Assemblymember Rocky Chavez.

(Applause)

CHAIRPERSON WONG-HERNANDEZ: But I want to read it
into the record. Okay. Great. Whoever wants to hold it.

So I wanted to thank Assemblymember Chavez for his
dedication and service to the State Allocation Board.
Assemblymember Chavez has served on the SAB since January
2015 and has assisted the Board in making apportionments and
unfunded approvals for over $2.9 billion worth of projects
for the School Facility Program and other programs
administered by this Board.

His broad understanding and awareness of the
conditions confronting the State of California, especially
in the area of school facilities on military bases, has
enabled him to work closely with OPSC to address the plight
of these facilities which has resulted in an effective
collaboration producing the funds for these schools within
the framework of the SFP.

We thank him for his commitment, dedication, and
conscientious service to this Board as well as to the people of the State of California.

ASSEMBLYMEMBER CHAVEZ: Thank you.

(Applause)

CHAIRPERSON WONG-HERNANDEZ: So Assemblymember Chavez, if you'd like to say anything or if any of the Board members would like to say anything, I would welcome anyone's comments. Please, Mr. Donnell.

ASSEMBLYMEMBER O'DONNELL: I'll just say it at the end --

CHAIRPERSON WONG-HERNANDEZ: Okay.

ASSEMBLYMEMBER O'DONNELL: I'll just note that Dr. Pan and Cesar Diaz (indiscernible) the signatures. Thanks a lot.

ASSEMBLYMEMBER CHAVEZ: Thank you.

CHAIRPERSON WONG-HERNANDEZ: Thank you. Sorry. When you said the end, did you mean now? At the end of -- okay. We'll move on then to the next resolution and I'd like to present that to Superintendent Tom Torlakson.

(Applause)

CHAIRPERSON WONG-HERNANDEZ: We'd like to acknowledge Superintendent Tom Torlakson's dedication and service to the State Allocation Board. He has been a member of the SAB since being elected Superintendent of Public Instruction. He was also a member of the Board in 2003 when
he was a member of the State Senate and in 2009 when he was a member of the State Assembly.

As Superintendent, he has assisted the Board in making apportionments and unfunded approvals for more than 1,900 projects totaling $6.435 billion under the School Facility Program and other programs administered by this Board.

We thank him for his commitment to the success of this Board and the betterment of California's public schools. Thank you.

MR. TORLAKSON: Thank you.

(Applause)

CHAIRPERSON WONG-HERNANDEZ: I think you had a couple of comments to make?

MR. TORLAKSON: Sure. Good afternoon, everyone. Board, good afternoon and thanks for all the hard work, the very talented, passionate, skilled work that you do. Thank you, Juan and Nick Schweitzer -- Juan Mireles -- for standing in for me -- sitting in for me on many, many good meetings, and just admire the work that you're doing -- the teamwork.

Of course, I had to have a few reflections as we mark this occasion for myself and my good colleague, Assemblymember Chavez. We've worked together on many topics and thank you for your contributions and always trying to
find where win-win is and looking to how to have the parties come together because it's all about kids. And this Board does that on a regular basis. That's your mission and you believe it and you fulfill that mission.

So, yes, it's been an honor. I want to just make a couple reflections or thoughts remembering the good times and the times that are in front of us.

I just appreciate this team, the team of the staff, the Board, and OPSC and innovators, doers, a team dedicated to making sure all of our students and our teachers have up-to-date, modern, useful classrooms. They serve 21st century students and goals and the facilities should be those same high quality.

As a science teacher, I knew firsthand how important it was for to have a great learning environment and I was proud to be the co-author in the Legislature of Senate Bill 50 and ultimately the key architect of Senate Bill 50 and the beginning of the state bond program back in 1998. It was about 9.2 billion and something to that -- close to that at that point for higher ed and K-12. It was about 6 billion for just K-12.

So we had a crisis there. Like we've been out of money before, we were out of money at that time. Pete Wilson proposed a couple of small bonds, about 2 billion each. There would have been series over three years, but
couldn't get anybody in the Republican caucus at that time to support it without some consideration of reforms.

So I just want to give a little background which will end with a funny story about a famous restaurant in Sacramento. But we were struggling with this and one evening the -- all afternoon and evening up to midnight, Antonio Villaraigosa was Speaker at the time and called in dozens of members to talk to them one to one can you support a bond and, you know, follow the Governor's lead and let's get a bond.

Well, that didn't happen, and so there was a lot of frustration, but as chair of housing, Antonio said go find a way to get the home builders and school folks and our -- home builders and CBIA and building trades to work together.

So we worked on a Thursday afternoon. We worked all day Friday, around the clock to midnight Saturday, and finally Sunday about midnight, we struck a deal and had a strong cross-section of support and also a strong opposition from several quarters.

But what fueled the final victory for the public and for our kids was Bob Hertzberg was also assigned by the Speaker to work with me and he likes to make sure that everybody has a good meal. So the last night we thought we could get done by midnight, he ordered Frank Fat's food and
it was the banana cream pie that sealed the deal. So many of you know the banana cream pie.

So I just want to say that was a good bit of history and it shows what teamwork can do when you bring everybody together.

We do have an extremely old housing -- old school building stock. We want to make sure that the -- we have all the reforms we're doing on policy that we also have a good learning environment for our students. And we know -- you know you've been leading. The research shows that good, clean, modern school facilities with good lighting, safe environments are critical for student success.

And so we look forward to working with you as you continue fighting for more facilities. We're blessed that the voters are seeing the need to invest and say yes to invest. We had obviously the great victory of $9 billion in Prop. 51, and even more significant in my mind was the 165 measures went to the ballot by local school districts putting to them to the ballot, forming bipartisan and nonpartisan coalitions with business, with educators and passed 95 percent of those measures. That's about $15 billion of additional investment in our school facilities.

So I just say we know there's a lot more to be done. There was a national report of the state of our
schools which over the ten years, the California subset of that need is about 190 billion.

So we know we need more capacity for the growing parts of California and we know we have a major challenge in dealing with aging buildings and infrastructure on our school campuses.

So I just say continue to work hard, teamwork, aim high, dream big. I say why not think big and go for a $17 billion bond and not have to go back to the voters every couple of years, but let's go big and have a good campaign and set it up for the next ten years.

So with that, I say keep up the great work and thank you for the honor and I really appreciate the staff's help, advice over the years and again, Juan and Nick were very helpful to me. Thank you.

(Applause)

ASSEMBLYMEMBER NAZARIAN: Madam Chair.
CHAIRPERSON WONG-HERNANDEZ: Please.
ASSEMBLYMEMBER NAZARIAN: Do you mind if we all take a photo?
CHAIRPERSON WONG-HERNANDEZ: Of course.
Absolutely.

ASSEMBLYMEMBER NAZARIAN: -- possibly.
CHAIRPERSON WONG-HERNANDEZ: Let's do -- can we do comments and then we'll do kind of a photo at the end?
MR. TORLAKSON: Sure.

CHAIRPERSON WONG-HERNANDEZ: Okay. Great.

Assemblymember O'Donnell.

ASSEMBLYMEMBER O' DONNELL: Thank you, Madam Chair.

I just want to thank these two fine men. It's been an honor working with you.

You know, Rocky, you've been great to work with. You come from the other side of the aisle, but you have an open mind and you know that this is really about serving kids.

And to the Superintendent, you're the father of the modern day School Facilities Program and I very much appreciate that and all you've brought to the table over the years to serve California's children because this isn't about facilities.

This is about serving our children and you can always tell, you know, how important education is when you look at a facility.

I can tell you when I walk into a school, you know, that I -- over the years, when I walk into a school facility, I always look and see how clean is it, is there any markings, how modern is it because that really speaks to how important we think education is and that's how so too will our students think how important education is.

So I just want to thank you for your service and
you've done well. You've done well. Thank you.

CHAIRPERSON WONG-HERNANDEZ: Does anyone else --
oh, yes. Senator Pan.

SENATOR PAN: Oh, thank you very much. I too want
to thank and express my appreciation for both our State
Superintendent and also Assemblymember Chavez as well. You
know, actually I think I inherited your office when you went
off to be -- in the Assembly, I remember when I moved in
that I saw it was your office and, you know -- and really
appreciate that during my time in the Legislature to have
you as our Superintendent of Public Instruction, the work
that we've been able to do together in trying to improve the
health of children as well as of course their education.
They go hand in hand. And really appreciate your leadership
there.

And Assemblymember Chavez, I know that when I
first came to the Legislature, you were a champion for our
veterans. I was actually hoping you'd become the Secretary
of Veterans Affairs at the time or as vice chair.

ASSEMBLYMEMBER CHAVEZ: So did I.

SENATOR PAN: There you go. But also since you've
come to the Legislature, I appreciate your leadership in
education and again, I'm privileged to serve with you on
this Board and as well in the Legislature, and so we're
going to miss having you around, but I'm sure you'll come by
and tell us -- share with us your mind and we look forward to hearing from you. So thank you.

CHAIRPERSON WONG-HERNANDEZ: Thank you, all. We are going to try and figure out somewhere to take a picture. How do we do this. All right, Assemblymember. You spent more time in this room. Where do you want to stand.

(Picture taken)

CHAIRPERSON WONG-HERNANDEZ: Thank you, all. Before we move onto the agenda items, I just wanted to note for the public that appeal item on Tab 6 has been withdrawn from this agenda. So we'll move on to the Minutes.

MS. SILVERMAN: The Minutes are ready for your approval.

CHAIRPERSON WONG-HERNANDEZ: Hopefully, everyone has had a chance to review. Would entertain a motion.

ASSEMBLYMEMBER CHAVEZ: Motion to approve.

CHAIRPERSON WONG-HERNANDEZ: Okay.

MR. DIAZ: Second.

CHAIRPERSON WONG-HERNANDEZ: We have a motion and a second. Any public comment on the Minutes? All right. Seeing none, let's do a roll call.

MS. JONES: Senator Nguyen.

SENATOR NGUYEN: Aye.

MS. JONES: Senator Pan.

SENATOR PAN: Here -- aye.
MS. JONES: Assemblymember Nazarian.

ASSEMBLYMEMBER NAZARIAN: Aye.

MS. JONES: Assemblymember Chavez.

ASSEMBLYMEMBER CHAVEZ: Aye.

MS. JONES: Assemblymember O'Donnell.

ASSEMBLYMEMBER O'DONNELL: Aye.

MS. JONES: Tom Torlakson.

MR. TORLAKSON: Aye.

MS. JONES: Cesar Diaz.

MR. DIAZ: Aye.

MS. JONES: Jeffrey McGuire.

MR. McGUIRE: Aye.

MS. JONES: Jacqueline Wong-Hernandez.

CHAIRPERSON WONG-HERNANDEZ: Aye.

MS. JONES: And that motion carries.

CHAIRPERSON WONG-HERNANDEZ: Thank you. We'll move on to the Executive Officer's Report.

MS. SILVERMAN: Yeah. We only have a few items tonight. So we wanted to share with the Board that, hey, great news tonight about priority apportionments.

So there was a bond sale that closed last week and we have over $443 million as part of the Consent Agenda tonight. So that's over 227 projects that's slated for your approval and that represents over 105 school districts.

So those districts have until January 22nd and
perfect and provide us the proper documentation in order to
access the program cash. So again, that's great news for
the program.

And the second item we wanted to share with the
Board is we have upcoming priority funding certification
round that's coming up. So any district that has an
unfunded approval and also have an unfunded approval that's
also part of the Consent Agenda tonight, they have the
ability to provide us a certification and that opens up in
November, November 14th to be exact, and that closes
December 13th.

So if they send us a certification, that
certification is valid from January 1st to June 30th of
2019. So we're going to be contacting those folks to
courage them to submit a certification.

Absent submitting a certification, they will
actually have the two strikes provisions apply to them, so
again, we're going to be encouraging those districts to
submit a certification.

And then we're also excited about the full-day
kindergarten program. That's also going to be part of the
program agenda, so we're looking forward to that full-day
kindergarten implementation. So the regulations are slated
for your approval tonight.

And so we had three stakeholder meetings and so we
look forward to bringing the $100 million and activating two funding cycles.

And then the last item on the agenda is actually the next Board meeting is December 11, and I also wanted to share with the Board the acknowledged list kicked in, and so that's part of the information items.

So the new construction projects, as we shared at the last meeting, we tapped into that new acknowledged list. So that is on page 451 in the information section.

And with that, we actually have a workshop tomorrow on the K-12 audit instructions in Fresno County Office of Education and so we look forwarded to seeing a lot of folks out there getting some more instructions about the performance audit requirements of the new program.

CHAIRPERSON WONG-HERNANDEZ: Thank you. Any questions or comments from Board members? Is there any public comment on this informational item? Seeing none, we'll move on to Tab 4 which is the Consent Agenda.

MS. SILVERMAN: So the Consent Agenda is available for your approval, but we did want to highlight that we have one item -- one noted change.

We're asking the Board -- as a result of a school district is asking that -- on page 241, that application number is 5964733-00-0029. That's Dorsey High School Career Tech Education project, the modernization project, and
that's for Los Angeles Unified.

They're asking that item be withdrawn from the Consent Agenda tonight. So absent that, the Consent Agenda is ready for your approval.

SENATOR PAN: So move.

ASSEMBLYMEMBER NAZARIAN: Second.

CHAIRPERSON WONG-HERNANDEZ: Okay. We have a motion and a second. Is there any public comment on the Consent items? Seeing none -- oh, I'm sorry. Excuse me. Mr. O'Donnell?

ASSEMBLYMEMBER O'DONNELL: Just a question. So are all the applicants getting the same grant level?

MS. SILVERMAN: On the -- for the priority funding?

ASSEMBLYMEMBER O'DONNELL: Yes.

MS. SILVERMAN: So we actually clarified that. So all the items in the bond sale with the exception of three items -- most of the items are actually getting 2018 grant adjustments.

So those items that were approved by the Board as a result of the projects that moved forward on the workload list, so those items will get 2018 adjustments.

ASSEMBLYMEMBER O'DONNELL: Okay. Thank you.

MS. SILVERMAN: With the exception of three.

CHAIRPERSON WONG-HERNANDEZ: Okay. Thank you.
MS. JONES: Senator Nguyen.

SENATOR NGUYEN: Aye.

MS. JONES: Senator Pan.

SENATOR PAN: Aye.

MS. JONES: Assemblymember Nazarian.

ASSEMBLYMEMBER NAZARIAN: Aye.

MS. JONES: Assemblymember Chavez.

ASSEMBLYMEMBER CHAVEZ: Aye.

MS. JONES: Assemblymember O'Donnell.

ASSEMBLYMEMBER O'DONNELL: Aye.

MS. JONES: Tom Torlakson.

MR. TORLAKSON: Aye.

MS. JONES: Cesar Diaz.

MR. DIAZ: Aye.

MS. JONES: Jeffrey McGuire.

MR. McGUIRE: Aye.

MS. JONES: Jacqueline Wong-Hernandez.

CHAIRPERSON WONG-HERNANDEZ: Aye.

MS. JONES: And that motion carries.

CHAIRPERSON WONG-HERNANDEZ: Thank you. Moving on to Tab 5, the **Status of Fund Releases**.

MS. SILVERMAN: So on page -- actually on page 298, we have no fund releases to report out to the Board on the Status of Fund Releases.

We did want to share on the Status of Funds as we
reported tonight that we had over 227 items as part of the Consent Agenda for priority funding. We actually had 7 items coming back as far as fund recoveries to the program as part of the Consent Agenda tonight and 13 approvals for over $52 million as also part of the Consent Agenda tonight.

So that's all we have to report in the financials tonight.

CHAIRPERSON WONG-HERNANDEZ: Any public comment on the financials? Seeing none, we'll move to Tab 7, the Full-Day Kindergarten proposed regs.

MS. KAMPMEINERT: So on Tab 7, beginning with stamped page 333, we have the documents for the implementation of the Full-Day Kindergarten Facilities Grant Program. And this program comes out of the Omnibus Education Trailer Bill and was approved in June of 2018.

We have for your consideration today the regulations, forms, and grant agreement for the program and those are included as Attachments B through F of this item, and these documents outline the process for establishing eligibility and receiving funding under this program.

In developing these documents, we've engaged in three stakeholder meetings to get feedback from school districts and other stakeholders and we'd like to express our appreciation to those who attended for their comments and for their participation. We did find it very helpful
and were able to incorporate the feedback into this program. We had over 200 viewers for our most recent stakeholder meeting, so that's great that we have folks that are watching and commenting. So thank you.

We also -- with this item, we do request one additional approval from the Board. The funding for the program is $100 million with 2 and a half million reserved for administration costs. That leaves us with a balance of 97.5 million.

And in establishing the funding rounds, we've outlined two funding rounds, one beginning in January of 2019 and one beginning in May of 2019, and we are recommending that the first funding round be for 37.5 million and that the second round be for 60 million plus anything that was left over from the first round.

And the reason for doing that is to make sure that folks have adequate notice of the program in time to prepare the applications. So we wanted to load a little more funding on that second funding round. So that is part of the staff recommendation tonight.

And I'd be happy to address any detailed questions about the program, but staff does recommend approval of the recommendations listed on page 338 of the agenda.

If the Board approves today, we will be able to file these regulations on an emergency basis with the Office
of Administrative Law and that will allow us to have the
first filing round open up on January 2nd of 2019.

CHAIRPERSON WONG-HERNANDEZ: Mr. O'Donnell.

ASSEMBLYMEMBER O'DONNELL: Yeah. I have a
question with regard to criteria. I think I know the answer
and I'll bet it's more of a legislative matter than it is a
State Allocation Board matter.

But there is no priority for a Title 1 school to
receive this funding over another school, is there?

MS. KAMPMEINERT: The priorities for this
program -- there were two written in the statute and the
program provides priority for districts that meet the
criteria for financial hardship as -- the criteria as the
School Facility Program defines it.

So those are the districts that may not have the
funds available to make the local matching share requirement
for the program. It does require a 50-50 match for new
construction projects and a 40 percent match to retrofit
projects.

And then there is a second criteria for those
school districts that have a high percentage of students
that qualify for free and reduced price meals.

So the regulations outline an all or nothing
criteria for the financial hardship. If you qualify, you
get 40 points. If you don't qualify, you get zero points.
And then the free and reduced price meals are structured on a sliding scale so that the higher your percentage of free and reduced lunch, the higher your preference points will be for receiving funding for the applications.

ASSEMBLYMEMBER O'DONNELL: Under the hardship.

MS. KAMPMEINERT: Everyone can qualify for the free and reduced price meals. So it's two separate criteria. If you -- and that helps determine the funding order.

So if you're a district that doesn't qualify for hardship, you would receive zero points in that category, but maybe you have a hundred percent free and reduced lunch, you'd still get the points for free and reduced lunch. So you can get up to 40 points there.

ASSEMBLYMEMBER O'DONNELL: So you might have a better chance or you might score higher than a district that doesn't have that population.

MS. KAMPMEINERT: That's correct.

ASSEMBLYMEMBER O'DONNELL: Okay. And I just -- where I'm coming from is more of again probably a policy legislative matter. I'd like these dollars -- I'd like full-day kinder to start off where we have the achievement gap. That's kind of where I see the need for full-day kinder mostly right now, not the day care watch, if you
will. So thank you.

MS. KAMPMEINERT: Um-hmm.

CHAIRPERSON WONG-HERNANDEZ: Any other questions?
No, Mr. Torlakson.

MR. TORLAKSON: Just wanted to thank the staff for very good work, very good thinking on this, and just in general thank the Legislature and the Governor for the wisdom of putting this in the budget.

This is really important as Patrick was just alluding to. We have achievement gaps and we also have the need to do more for early learning and the students who get a full-day kindergarten will be much better off than students that don't, and so this investment makes a lot of sense and it's going to be good for our students, not just in kindergarten but all the way through their career in high school and beyond.

Good work. Thank you.

SENATOR PAN: So I'd like to move this item.

CHAIRPERSON WONG-HERNANDEZ: Motion by Senator Pan.

MR. DIAZ: Second.

CHAIRPERSON WONG-HERNANDEZ: Second by Mr. Diaz.

Is there any public comment on the proposed regulations?
Seeing none, we'll do a roll.

MS. JONES: Senator Nguyen.
SENATOR NGUYEN: Aye.

MS. JONES: Senator Pan.

SENATOR PAN: Aye.

MS. JONES: Assemblymember Nazarian.

ASSEMBLYMEMBER NAZARIAN: Aye.

MS. JONES: Assemblymember Chavez.

ASSEMBLYMEMBER CHAVEZ: Aye.

MS. JONES: Assemblymember O'Donnell.

ASSEMBLYMEMBER O'DONNELL: Aye.

MS. JONES: Tom Torlakson.

MR. TORLAKSON: Aye.

MS. JONES: Cesar Diaz.

MR. DIAZ: Aye.

MS. JONES: Jeffrey McGuire.

MR. McGUIRE: Aye.

MS. JONES: Jacqueline Wong-Hernandez.

CHAIRPERSON WONG-HERNANDEZ: Aye.

MS. JONES: And that motion carries.

CHAIRPERSON WONG-HERNANDEZ: We'll move on to the
next item.

MS. SILVERMAN: Sorry. What we have is just the
three-month workload.

CHAIRPERSON WONG-HERNANDEZ: Does anyone have any
comments or questions on the three-month workload? Is there
any public comment on this or on any other matters under the
purview of this Board?

Seeing none, we're going to hold the roll open for Senator Nguyen who I understand is on her way, but everyone else is free to go. Thank you all for being here.

(Whereupon, at 2:34 p.m., the proceedings were adjourned.)
TRANScriber's certificate

STATE OF CALIFORNIA ) ss.
COUNTY OF SACRAMENTO )

I, Mary C. Clark, a Certified Electronic Court Reporter and Transcriber, Certified by the American Association of Electronic Reporters and Transcribers, Inc. (AAERT, Inc.), do hereby certify:

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