CALIFORNIA STATE ALLOCATION BOARD

PUBLIC MEETING

(TELECONFERENCE)

ZIGGURAT BUILDING
707 3RD STREET, 8TH FLOOR
BOARD ROOM 8-100
WEST SACRAMENTO, CALIFORNIA 95605

DATE: WEDNESDAY, MARCH 25, 2020
TIME: 4:00 P.M.

Reported By: Susan Palmer
eScribers
APPEARANCES:

MEMBERS OF THE BOARD PRESENT:

GAYLE MILLER, Chief Deputy Director, Policy, Department of Finance

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

JUAN MIRELES, Director, School Facilities and Transportation Services Division, California Department of Education, designated representative for Tony Thurmond, Superintendent of Public Instruction

SENATOR SCOTT WILK

ASSEMBLYMEMBER PATRICK O'DONNELL

ASSEMBLYMEMBER JORDAN CUNNINGHAM

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

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

TOM PATTON, Assistant Chief Counsel
MS. MILLER: (Indiscernible) of the State Allocation Board. (Indiscernible) I assumed earlier (indiscernible) for a play date because it sounded like we were having too much fun. So with that, Ms. Jones, can you take the roll, please.

MS. JONES: Senator Wilk.

SENATOR WILK: Present.

MS. JONES: Senator Leyva.

MS. MILLER: Okay. Ms. Leyva's not here yet.

No. Ms. Leyva's not attending.

MS. JONES: Okay. Senator Roth.

SENATOR ROTH: Roth here.

MS. JONES: Senator Roth is here. Assemblymember O'Donnell.

Assemblymember Cunningham.

Assemblymember Burke.

UNIDENTIFIED SPEAKER: It would appear Assemblymember Leyva is here because I can see her.

MS. JONES: Juan Mireles.

MR. MIRELES: Here.

MS. MILLER: Juan Mireles is here.

MS. JONES: Yes. Cesar Diaz.

MR. DIAZ: Here.
MS. JONES: Daniel Kim. Not attending today.

Gayle Miller.

MS. MILLER: Here.

MS. JONES: We have a quorum.

ASSEMBLYMEMBER CUNNINGHAM: Assemblymember Cunningham is on.

MS. MILLER: We are still (indiscernible) when Mr. O'Donnell and Mr. Cunningham join, we'll announced that they've joined.

ASSEMBLYMEMBER CUNNINGHAM: And can you hear me?

MS. MILLER: (Indiscernible) from a quick note -- oh, Mr. Cunningham, are you here now?

ASSEMBLYMEMBER CUNNINGHAM: Yeah. Can you hear me?

MS. MILLER: Yes.

ASSEMBLYMEMBER CUNNINGHAM: I am here. Sorry. I had some technical difficulties.

MS. MILLER: No worries. We completely understand. So we'll just announce when Mr. O'Donnell arrives. We'll let you all know that he's here so you can know who to listen for. So pursuant to Governor Newsom's Executive Order N-25-20 issued on March 12th of this year, this meeting is being conducted by way of a teleconference. The meeting is specifically webcast from Room 8-100 in the Ziggurat Building in West Sacramento for anyone that wants
to provide public comment in person. I'm going to note that there is no public here and we are all appropriately socially distant.

I would ask for Board members and the public in case you've joined this meeting, in order for this meeting to run efficiently, please note the following guidelines.

All participants will be muted during the meeting. If any Board member or the public would like to make a comment, please use the ring cam feature in Zoom meeting interface. I will call your name at the appropriate time. Please press the space bar on your computer to unmute your microphone before you begin speaking.

If you are using the Zoom application on a mobile device, tap to speak button on your microphone. You can also do it on the toolbar on the bottom left. There's two options there as well for you.

If you are calling into the meeting and not using a computer or the Zoom application on a mobile device, you will be unable to provide public comment. If we have Board members, however, calling in, we will obviously accommodate your questions. So please reach out to staff by email or text and let them know if you're unable to get through.

Mr. O'Donnell, is that you who's trying to join? Do you want to just say here, Mr. O'Donnell?
ASSEMBLYMEMBER O'DONNELL: Here. Can you hear me?

MS. MILLER: Thank you. And number two, we'd like to welcome Brent Jamison. Hi, Brent.

MR. JAMISON: (Indiscernible)

MS. MILLER: To our meeting today. Mr. Kim is currently at the SOC, at the State Operations Center. He is unable to join us and Brent is here. He's not voting, but he's here for a firm and is not -- was not designated by the (indiscernible). So we really appreciate you being here and, obviously, if you have any questions, let us know.

And since we've established a quorum, we'll go ahead and begin. Again, just want to recognize the extraordinary times we're under and let you know how grateful we are for your flexibility and your willingness to serve the people of California and, obviously, especially to the Assemblymembers and Senators, is there is anything that the administration can do or you have any questions, please feel free to reach out to me directly. I'm happy to provide my cellphone number, but really am very heartened by the idea that we (indiscernible) together. So thank you for that.

And the last announcement is that the appeal for Lompoc has been removed from this agenda and just a huge
thank you, Senator Cunningham, for your help and leadership on behalf of the Lompoc community. Thank you for that. So with that, we're going to move to the Executive Officer's Statement. Ms. Silverman. Oh, I'm sorry. Can we have an approval of (indiscernible) Board meeting Minutes while we're altogether in person.

MS. SILVERMAN: Minutes are ready for your approval.

MR. SCOTT: So moved.

MS. MILLER: Senator Wilk, (indiscernible) moving the Minutes?

SENATOR WILK: So moved.

MS. MILLER: Thank you. Ms. Burke, you're the one who seconded?


MS. MILLER: Thank you very much. Ms. Jones.

MS. JONES: (Indiscernible) Senator Wilk.

SENATOR WILK: Aye.


Assemblymember Cunningham.

ASSEMBLYMEMBER CUNNINGHAM: Aye.

MS. JONES: Assemblymember Cunningham, aye.

Assemblymember Burke.

ASSEMBLYMEMBER BURKE: Aye.
MS. JONES: Assemblymember Burke, aye.

Juan Mireles.

MR. MIRELES: Aye.

MS. JONES: Juan Mireles, aye.

Cesar Diaz.

MR. DIAZ: Aye.

MS. JONES: Cesar Diaz, aye.

Gayle Miller.

MS. MILLER: Aye. Thank you very much. And I apologize, but I didn't ask for public comment on the Minutes. Does anyone have any public comment? There is no public comment. Thank you very much.

MS. JONES: You want to say the motion carries?

ASSEMBLYMEMBER O'DONNELL: O'Donnell is back.


I just want to acknowledge that Member O'Donnell is (indiscernible).

MS. SILVERMAN: So yeah. We have a few updates to share with the Board. As (indiscernible) announced earlier that we have the executor order (indiscernible) and we will (indiscernible). So we are definitely complying with those requirements.

And the second announcement we wanted to share is
really related to the timeline extensions and I know we're going to have more of a robust dialogue as we talk about the next meeting, but we did want to get ahead of some of the concerns and challenges that we understand that districts having.

So on March 13th, we actually sent out a notification to districts and at that time we sent out the notification, not all districts were under this closure and they weren't quite all impacted, but as we gradually moved forward during the week, we actually had -- definitely had the -- all schools were being closed at that point in time.

So again, we just wanted to announce to districts, if you had (indiscernible) communication with our office that we would be working with districts to work on those timelines associated with that, but we also acknowledge that there was other items that we couldn't (indiscernible) address. So with that, we were (indiscernible) communications that were going on with our office.

We also wanted to share that we did actually have an upcoming bond sale. That bond sale was executed in March and with that, we did want to give the Board an update of that sale.

Additionally, the opening of full-day kinder round is April 1st, but we're going to have a dialogue at
the next meeting to address the opening of that filing round.

And on page 980, the career tech education round, that round closes April 6th and again, that's another topic that we're going to have with the next meeting (indiscernible). So with that, I'll open it up to the Board.

MS. MILLER: Thank you, Lisa. Are there any questions for the Board? Seeing none, is there any public comment? Seeing none. Okay. We will move on then to the Consent Agenda, please.

MS. SILVERMAN: The Consent is ready for your approval.

MS. MILLER: Thank you very much. If we may get a motion and a second on the Consent Agenda. Cesar, will you move that for us, please. Mr. Cunningham, will you move the Consent

SENATOR WILK: I'll move it. Senator Wilk will move it.

MS. MILLER: Thank you, Senator Wilk. You definitely get a gold star for your Zoom skills.

SENATOR WILK: And I'm like the oldest person on this Zoom call (indiscernible).

MS. MILLER: Well, that's not true, but -- Senator Wilk moved. Mr. Cunningham, you want to second?
ASSEMBLYMEMBER CUNNINGHAM: Second. Thank you.

MS. MILLER: Thank you very much. Senator Wilk moved. Mr. Cunningham second. Assuming no additional public comment, no questions. Ms. Jones, can you take the roll, please.

MS. JONES: Senator Wilk.

SENATOR WILK: Aye.

MS. JONES: Senator Roth.

MS. MILLER: Is Senator Roth, we're seeing you on mute on this call. I see your number showing up. So if you're on, if you could just let us know your vote on the Consent Agenda.

SENATOR ROTH: Aye.

MS. MILLER: Thank you.

MS. JONES: Assemblymember O'Donnell.

MS. MILLER: We didn't hear that, Mr. O'Donnell.

ASSEMBLYMEMBER O'DONNELL: Aye.

MS. MILLER: Thank you.

MS. JONES: All right. Thank you.

Assemblymember Cunningham.

ASSEMBLYMEMBER CUNNINGHAM: Aye.

MS. JONES: Cunningham, aye.

Assemblymember Burke.

ASSEMBLYMEMBER BURKE: Aye.

MS. JONES: Assemblymember Burke, aye. Juan
Mireles.

MR. MIRELES: Aye.

MS. JONES: Juan Mireles, aye.

Cesar Diaz.

MR. DIAZ: Aye.

MS. JONES: Cesar Diaz, aye.

Gayle Miller.

MS. MILLER: Aye.

MS. JONES: Gayle Miller, aye. And this motion carries.

MS. MILLER: Great. Thank you very much. Now we will move onto the financial reports. Ms. Silverman.

MS. SILVERMAN: Yeah. We'll make this quick. So on page 82, we wanted to highlight the fund releases that were released in February and $4.4 million were released in the month of February due to prior apportionments.

And then as far as the financials, the Consent Agenda, on page 84, just to reflect that we had 89 million -- close to $90 million in project approvals in the Consent Agenda and that represents 45 projects, and additionally, we wanted to share with the Board, we had $235,000 that came in as a result of closeout activity and that represents five projects.

And also for full-day kinder, on page 85, which relates to the prior $100 million, we actually apportioned
another project for full-day kinder for 425,000 and that represents a new construction project for Anaheim Elementary School District. And with that, I open up to questions.

MS. MILLER: All right. And if the members want to keep themselves off mute, please feel free. Any questions, comments? Once again, if anyone from the public wants to make a comment, if you could use the hand function. Thank you.

So the next item was the Lompoc, Santa Barbara appeal, and that item was withdrawn. Again, really grateful to Mr. Cunningham and also to Lompoc for being on the line (indiscernible) Zoom meeting works should we have to use the same technology if we hear the appeal next month.

So if after this, if, Lompoc, you have any questions, please let us know. We're happy to sort of help you work with the technology.

Next, we will move to the reports just as an information item. Ms. Silverman.

MS. SILVERMAN: Yeah. So the reports were the 90-day workload and also there's the appeal (indiscernible). So if you have any questions, just chime in (indiscernible).

MS. MILLER: Great. Again, is there any public
comment on this? Looking to make sure no one's raising
their hand. Okay. Great. So we will -- before we adjourn
our regular meeting, I propose pursuant to Government Code
Section 11125.5 the Board confirm that they believe an
emergency exists (indiscernible) severely (indiscernible)
public health or safety and that grounds therefore exist to
convene an emergency meeting to consider possible adoption
of an emergency regulation.

Is there a motion to affirm that the --
SENATOR WILK: So moved. Senator Wilk
MS. MILLER: Thank you, Senator Wilk. So moved.
ASSEMBLYMEMBER CUNNINGHAM: Second.
MS. MILLER: Second by Mr. Cunningham. Thank
you. Secretary, will you call the roll to affirm that
there's a natural disaster.

MS. JONES: Senator Wilk.
SENATOR WILK: Aye.
SENATOR ROTH: Roth, aye.
MS. JONES: Senator Roth, aye.
Assemblymember O'Donnell.
ASSEMBLYMEMBER O'DONNELL: Aye.
MS. JONES: Assemblymember O'Donnell, aye.
Assemblymember Cunningham.
ASSEMBLYMEMBER CUNNINGHAM: Aye.
MS. JONES: Assemblymember Cunningham, aye.
Assemblymember Burke.
ASSEMBLYMEMBER BURKE: Aye.
MS. JONES: Assemblymember Burke, aye.
Juan Mireles.
MR. MIRELES: Aye.
MS. JONES: Juan Mireles, aye.
Cesar Diaz.
MR. DIAZ: Aye.
MS. JONES: Cesar Diaz, aye.
Gayle Miller.
MS. MILLER: Aye.
MS. JONES: Gayle Miller, aye, and that motion carries.
MS. MILLER: Okay. Thank you. With that, we will adjourn the regularly scheduled State Allocation Board meeting and we will convene an emergency meeting of the State Allocation Board.
(Whereupon, at 4:15 p.m., the regularly schedule State Allocation Board proceedings were adjourned, and the emergency meeting of the State Allocation Board was convened.)
MS. MILLER: So we are convening this emergency meeting of the State Allocation Board under the emergency powers of the Executive Order during the COVID-19 state
emergency. Ms. Silverman will present an emergency regulation to the Board.

MS. SILVERMAN: So at this time, we are seeking the Board's approval of the emergency regulation. This will allow the executive officer of the State Allocation Board and the Office of Public School Construction with the notification to the Board and only during the time period of the emergency proclaimed by the Governor as a result of the Executive Order N2520 (indiscernible) March 4th, 2020.

The goal is to (indiscernible) extend any deadline set forth in regulations adopted by the Board or in other rules and procedures set by the Board and/or the Office of Public School Construction for all programs administered by the Board for a period not to exceed 180 days in response the COVID-19 impact on school districts.

As a result of the recent crisis, we understand there's lots of challenges that districts are facing at this point in time and a lot of them have concerns about submitting program funding applications to meet the funding requirements associated with a Board-administered program.

So as we have the results of all school districts being shutdown, we also have a stay in place for all residents which is severely impacting a lot of folks (indiscernible) in the timeline.
So as a result of the executive order, we are seeking Board approval to have these regulations approved as a result of the threat of COVID-19. So in Education Code 1707.35, it provides the provision of the Board to grant all (indiscernible) responsible to the Board under the California Constitution and the Board shall do all the following: Adopt the regulations and the rules and the (indiscernible) as a result of the Administration Procedures Act.

Additionally, Education Code 17375, the State Allocation Board may adopt regulations to implement sections and regulations adopted and pursuant to this section may be adopted on emergency regulations in accordance to the Administrative Procedures Act.

The adoption of the regulations shall be deemed an emergency and necessary (indiscernible) preservation of public peace, health, and safety for the general welfare. So as a result, we also wanted to state that Government Code 15503, whenever the Board is required to make allocations and apportionments under this part, it shall prescribe rules and regulations for the administration of and not inconsistent with the Act making appropriations of funds to be allocated and apportioned.

As a result, we just wanted to highlight to the Board that on March 13th of this year earlier, we had
communication out to districts advising them that we would be granting extensions related to their internal deadlines, unrelated to the regulation requirements.

But not all timelines can be extended by the Board -- excuse me -- by our office absent regulation approval. So due to the unprecedented circumstances, staff believes it's reasonable to provide relief due to temporary extensions of deadlines associated with the regulations and other (indiscernible) that may be difficult for school districts to comply at this time.

So OPSC has identified several items on page 3 -- several items that need immediate attention, but this list again is not intended to exhaustive.

We understand, obviously, the full-day kinder facilities grant program was shortly scheduled to open on April 1st. We also have another program deadline of career tech education. Those funding applications were due to our office on April 6th.

There's other timelines associated with full-day kinder facilities program grants that were previously awarded and so those deadlines (indiscernible) related to the project due dates of April 23rd of 2020 for those projects awarded in October 23rd, 2019 (indiscernible) they actually did not receive advance release funds.

Additionally, there's deadlines submitted for
other projects that had project approvals and those
deadlines are May 22nd of 2020 for those projects that
received advanced design release and that was May 22nd of
2019.

So with the deadlines and (indiscernible) in
compliance with construction projects, we also have other
deadlines related to the final expense report, accounts
receivable, and priority funding certification round that
actually opens up on May 13th and is set to close on
June 11th.

So depending on the length of the state of
emergency, it may be necessary to extend deadlines or other
requirements as well. As the needs are identified, the
executive officer will exercise powers granted pursuant to
this regulation (indiscernible) regulations to allow the
executive officer of the Office of Public School
Construction and the State Allocation Board to provide
relief to school districts by temporarily extending the
deadlines to certain program requirements and regulations.

So at this time, we are seeking Board approval of
those regulations listed on Attachment 1 -- excuse me -- on
Attachment 1 attached to that and authorize the executive
officer to file the proposed regulation with the Office of
Administrative Law on an emergency basis and make those
regulations (indiscernible).
MR. PATTON: Will you clarify that you're proposing to adopt a single regulation, one single emergency regulation (indiscernible).

MS. SILVERMAN: That's correct. (Indiscernible)

MS. MILLER: Thank you. And Mr. Patton just clarified that we are seeking to adopt one single regulation through Section 15 (indiscernible). Just to be clear, this will be a single regulation that the Board would adopt and thank you Vice-Chair O'Donnell for understanding. These are extraordinary times we're in and helping us through these emergency regulations (indiscernible). We really appreciate that.

Any comments or questions. I'm going to go through -- Board members, feel free (indiscernible) and just go ahead and ask if you have a question. Just to make sure I don't see any raised hands from the public.

Seeing none and confirming there's no questions from Board members? No. Okay. Great. Then may we please get a motion and a second to approve the emergency regulation explained by Ms. Silverman.

SENATOR WILK: Senator Wilk moves approval.

MS. MILLER: Senator Wilk moves approval.

ASSEMBLYMEMBER O'DONNELL: O'Donnell seconds.

MS. MILLER: O'Donnell seconds. Thank you very much for that. Ms. Jones, can you call the roll.
MS. JONES: Senator Wilk.
SENATOR WILK: Aye.
SENATOR ROTH: Roth, aye.
MS. JONES: Senator Roth, aye.
Assemblymember O'Donnell.
ASSEMBLYMEMBER O'DONNELL: Aye.
MS. MILLER: We couldn't hear you, Mr. O'Donnell.
MS. JONES: Assemblymember O'Donnell, aye.
Assemblymember Cunningham.
ASSEMBLYMEMBER CUNNINGHAM: Aye.
MS. JONES: Assemblymember Cunningham, aye.
Assemblymember Burke.
ASSEMBLYMEMBER BURKE: Aye.
MS. JONES: Assemblymember Burke, aye.
Juan Mireles.
MR. MIRELES: Aye.
MS. JONES: Juan Mireles, aye.
Cesar Diaz.
MS. MILLER: We'll come back to Mr. Diaz.
MS. JONES: Gayle Miller.
MS. MILLER: Aye.
MS. JONES: Thank you. Motion carries.
Cesar, how do you vote?
MR. DIAZ: Aye.
MS. MILLER: Cesar Diaz, aye. Great. Thank you very much. That motion carries and we will continue to update you and let you know as soon as we do about the status of the April meeting as well. Any other questions? Other than Senator Wilks and Mr. Cunningham get a gold star (indiscernible). I like your background too, Senator Wilk.

SENATOR WILK: Yeah. That's my backyard.

MS. MILLER: Really?

SENATOR WILK: Yeah.

MS. MILLER: No, I don't believe that.

SENATOR WILK: No (indiscernible) my backyard in the spring.

MS. MILLER: Hmm.

SENATOR WILK: (Indiscernible) the rain and the wildflowers, yeah.

MS. MILLER: For real?

SENATOR WILK: Yeah. Yeah.

MS. MILLER: Mr. Cunningham (indiscernible).

SENATOR WILK: I live in the country.

(Indiscernible) my back yard.

MS. MILLER: Well, you're having a good time with the stay at home order. Great. So I'm just going to go through one more time make sure nobody else has any questions or comments, see if I see any raised hands.
Please give us feedback. We'd love to hear it. If we can do anything in the future to make these run better, assuming we may have to do one of these, we'd love to hear it.

Again, all the members on the line, the administration, I hope you're getting contacted a lot. If there's anything we can do to help, local businesses have questions, we really want to be there however we can be. So please, please let us know.

And I'm just going to go through one more time and make sure there are no raised hands. Yes, Ms. Jones.

MS. JONES: I'd like to add Senator Roth (indiscernible) the Minutes.

MS. MILLER: Oh, yes. Senator Roth, do you approve the Minutes? We couldn't hear you earlier.

SENATOR ROTH: Roth, aye.

MS. MILLER: Thank you for that. All right. With that, I'm not seeing any raised hands or comments, we will adjourn the emergency meeting of the State Allocation Board and thank you all for your time. Take care everyone.

SENATOR WILK: Thank you. Bye-bye.

(Whereupon, at 4:25 p.m., the proceedings were adjourned.)
TRANSCRIBER'S CERTIFICATE

STATE OF CALIFORNIA )
COUNTY OF SACRAMENTO ) ss.

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IN WITNESS WHEREOF, I have subscribed my name on March 28, 2020.

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Mary C. Clark
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