

**ACBO FACILITIES ADVISORY COMMITTEE MEETING**  
**SUMMARY NOTES**  
*December 3, 2020*

**ATTENDEES**

**Task Force Members Present:** Ann-Marie Gabel, Hussain Agah, Fred Diamond, George Estrada, Tim Flood, Kuldeep Kaur, MacAdam Lojowsky, Lyndsay Maas, Pablo Manzo, Jose Nunez, Robert Parker, Jim Schrage, Erik Skinner, Richard Storti, Richard Williams

**Chancellor's Office Staff:** Hoang Nguyen, Harold Flood, Druv Bhat, Eric Thorson, Brian Turner, Lan Yuan, Chay Yang

**Foundation for CCCs:** Shirley Singh, Eric Mittlestead

**CCC/IOU EE Partnership:** Lisa Hannaman

**Other Resources:** Ron Beeler, Rebekah Cearley, Ida Clair

**A. Committee Reports/Other Issues**

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**1. FUSION Update – Tim Flood**

Tim informed us the FUSION Meeting was held on 12/2/2020. Currently, the FUSION Committee is finalizing its charter and examining the charter's original draft to ensure the final draft reflects the MOU. There is an official FUSION trademark, which is used for branding. The Foundation used in house counsel that saved on costs.

According to Tim, four districts (Peralta, Barstow, Santa Barbara, and Yuba) did not pay FUSION licensing fees. Yuba will withhold payments until a voluntary product accessibility template (VPAT) is provided to ensure FUSION is 508-compliant. To achieve 508-compliance, the FUSION Committee is partnering with Access Ingenuity, whom the team hired for \$5,300. Because this money is derived from operations, there is no budget augmentation involved. The FUSION Committee expects a report from Access Ingenuity on how to achieve 508-compliance. Upon accomplishing this goal, the group will then work on improving FUSION's accessibility.

Tim informed us about the rollout of FUSION enhancements at the CCFC. According to the FUSION Committee's report, these enhancements were well received and well accepted at the conference. Tim also mentioned there is tremendous progress and synergy between the FUSION team and the 909 team, which is the new software support team. Eric believes, through the feedback they received during the rollout, they can better understand areas where FUSION is underperforming such as operating speed and the necessary improvements involved.

According to Tim, the Capital Outlay module is planned for rollout on January 15, and they are working on key performance indicators (KPI) metrics. The last thing the team will work on is the Assessment module. To ensure points are correlated to the FCI at the time of an IPP's submission, the team is considering a process similar to Space Inventory where it is rolled out annually to allow people to understand which FCI Assessment standard applies to them. At the moment, there are no recommendations for approaching and implementing this process.

Tim also mentioned FUSION's VPAT will include a roadmap of when each module will become ADA-compliant. FUSION plans to ensure Capital Outlay's compliance by Jan 15, but no information is currently available on when Space Inventory or Scheduled Maintenance will become compliant. FUSION will also require VPAT for all districts going forward.

Eric launched a demo of the new FUSION. While the new FUSION's data is the same, the team still needs to finish migrating old data into new datasets. Elements of FUSION 1 are re-used for this version in terms of what worked well. A list of districts is present on the left of the screen for people with multiple districts. In the Capital Outlay module, users can explore their districts' projects in terms of campus, project status, and submission year, as well as, examine previous databases for a more historic perspective. The Plan Status feature allows users to determine when a plan is complete and monitor other users' activities since multiple people often work on a plan. For the project's summary, users can view project details, as well as bring in graphs, colored fonts, and inserts. Users can easily re-prioritize data by typing a number into the project's priority column. JCAF31's Midpoint data still needs validation, while JCAF32 contains command boxes allowing users to make changes. With the new FUSION, users will be able to save work more quickly. Eric mentioned the team wants everything to go live on January 15, with training and virtual sessions on January 4. According to Shirley, the new FUSION is expected to contain all historical data by March 2021.

## **B. Chancellor's Office Update – Hoang Nguyen**

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According to Hoang, there is not much in terms of updates. Hoang met with the LAO a couple of months back. The LAO informed Hoang they were interested in Scheduled Maintenance and the Physical Plant and Instructional Support Program, the latter of which, despite not examining in the prior budget cycle, they plan to start in the current budget cycle. According to Ann-Marie, LAO is projecting one-time funds potentially usable for scheduled maintenance. The bid threshold and DGS CCI adjustment is planned for release later this month. The call letter will also contain this information. Hoang will send a memo on the bid threshold.

There is one staff position open at the FPU. While there are delays regarding the approval of DF14Ds, Hoang is helping Randy Fong with this and hopes the situation will improve next year.

## **C. 2022-23 Spending Plan – Hoang Nguyen**

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According to Hoang, the 2022-23 Spending Plan contains 33 projects totaling \$500 million from the state's side, but not much money is available to support all 33 projects. Hoang mentioned the final list of projects will likely be smaller when taking into account this factor. Currently, the state is looking over old bonds and trying to figure out which bonds to use for new projects. There is currently \$61 million available for new projects (\$45 million from Proposition 51 and \$16 million on old bonds). The state is also auditing hidden funds to uncover additional project funding. In addition, there are 44 projects from the 2021-22 Spending Plan needing money to account for escalations and project budget changes. Hoang anticipates a final list of projects for the 2022-23 Spending Plan by the March 3 meeting.

## **D. Division of State Architects**

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### **1. Ida Clair, AIA – State Architect**

Ida described leadership changes across the Division of State Architects (DSA), including some vacancies. Dan Vernier, DSA's Regional Office Manager for Sacramento, retired on October 30, while Jim Hackett, DSA's Head Structural Engineer, is retiring at the end of December. Even though interested staff members can apply, these positions are available to outside applicants. Interviews for these positions are planned after January following a required examination as part of each position's application process. Both positions are open to principal structural

engineer positions, while a principal architect can also qualify for Dan's position. Currently, Sacramento Regional Office supervisors are relying on rotating Acting Regional Managers for these positions.

DSA anticipates \$1.1 billion in construction for December 2020, which was their highest monthly amount this year. Ida mentioned the department remained consistently busy despite reduced activity from the lower number of projects. With at least \$330 million in construction for January, the number of projects is expected to increase since there is still time for January project submissions. It is possible for some December project submissions to become delayed to January, leading to further increases in these numbers. In regards to workload, Ida viewed the Sacramento office as the lightest and the Los Angeles office as the heaviest.

The DSA department is functioning via an electronic workflow environment until it receives instructions from the Governor's Office indicating it is safe for employees to return to the office. The department is at a 25% staffing level with most employees teleworking and, according to Ida, this presents no issues at the moment. The department aims to provide exemplary customer service despite this circumstance. Ida requested us to let her if service is not meeting those standards. Ida also asked us to inform her of any issues involving project approval, submission, or fact checking to ensure department readiness in resolving these issues. Nonetheless, DSA is still available for preliminary meetings and remains proactive in fully addressing concerns. The department also consistently updates its COVID-19 School Readiness site.

Ida mentioned the Project Inspector Recertification program is now online. Instead of waiting for classes, applicants can progress at their own time and pace, allowing them to maintain certification. The Project Inspector Initial Certification, due to a plan review component, will resume testing in January after a hiatus since February. Through this testing, individuals interested in becoming Project Inspectors can apply for this role. Ida mentioned testing and certification would be scheduled in the Sacramento Regional Office as their large monitors make it more convenient for in-house exam proctoring rather than renting a facility.

Ida described the DSA's strategic goal of sustainability outreach. Fifty-eight schools applied for this program as part of the K-12 school sustainability cohort, and the department is at the mid-way point for this cohort. This program involves DSA assisting K-12 schools during monthly recorded meetings in establishing districtwide sustainability plans, providing resources for design professionals, establishing benchmarking targets, and offering resources to achieve zero net-energy and carbon usage. DSA partnered with the New Buildings Institute (NBI), a nonprofit organization who received grants to conduct this program. NBI serves as a contact, with office hours and resources provided for the schools involved. The community college cohort program is in development, and DSA plans to bid for this assistance, with NBI as the most likely selection. However, DSA anticipates additional resources for this program in the coming fiscal year to solicit a bid for this contract and provide resources to the community college cohort. If this does not happen, Ida expects DSA will work with nonprofits to bid for assistance. Nonetheless, Ida remained firm in stating this is a DSA strategic goal. The K-12 program is a trial program, which will provide guidance for an improved rollout. A solicitation will occur in 2021 with an application process and a sustainability champion serving as a mentor for districts' sustainability programs. Lisa mentioned NBI partnered with statewide utilities for sustainability initiatives and suggested NBI can fund some of DSA's initiatives. Ida expressed interest in Lisa's suggestion and asked Lisa to meet with her later for further discussion.

Ida mentioned a partnership with the Energy Commission and National Energy Management Institute (NEMI) that provided a training program open to everyone, but is primarily designed for project inspectors and building officials. This program focuses on acceptance and installation testing and provides certification in these areas, which is required by code. Through this training, it is hoped enough professionals emerge who can perform these tasks and communicate with testers regarding compliance forms requirements. With this, facility managers can

ensure whatever is installed works as intended and designed. These certificates, which are released by the Energy Commission, serve as yearly checks for facility managers. This program is free and available online at the NEMI website. DSA's website will provide a link to NEMI's program once DSA determines the link is accessible. Individuals interested in receiving NEMI notifications can visit the NEMI website and follow the necessary instructions. Ida said the California Energy Commission plans to implement full-electricity requirements for new construction to achieve greater sustainability, and at present, there is a 45-day comment period. Ida recommended researching these regulations, signing up on the commission's website to obtain notifications as the rulemaking advances, and providing comments during the comment period. To ensure compliance with the California Energy Commission's requirements, DSA adopted CalGreen Measure 5.2, requiring K-12 and community colleges to comply with these standards.

Ida informed us of DSA's public school construction collaborative. Though DSA's Advisory Board was disbanded under the previous leadership, DSA plans to reestablish its advisory board, which is known as the Public School Construction Collaborative. DSA is currently accepting applications for the Collaborative. One board requirement is for membership outside of the Collaborative, including within industry groups. With this requirement, Collaborative members can receive and deliver feedback from those outside groups and from there, better represent the entire school construction collaborative. The Collaborative will meet on an as-needed basis, which is anticipated to be no more than three times a year. The Collaborative plans to meet on December 11, 2020, to launch and create the group's charter and determine possible meeting times for next year. The group's charter will contain information on the rotation of group members. Because Collaborative applications are ongoing, it is possible to choose a replacement whenever an existing member cycles off. Ida expressed optimism and excitement regarding the Collaborative and its upcoming developments.

## **E. Legislative Update**

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### **1. Rebekah Cearley – Legislative Advocate**

According to Rebekah, her group is watching local bond results closely and the State will certify local election results on December 11, 2020. Once this is complete, her firm will put together a final list of successful and unsuccessful local bond measures. If anyone needs a list of these results, please let her know after December 11, 2020. Among the November 2020 bond measures, there were 60 bonds worth a total of \$13.4 billion and approximately 80% (48) of those bonds passed, but several bonds were within 3% above or below the 55% passage threshold. To ensure accurate results, these particular bond results are not designated as passed or failed until the election is certified. There were three CCD bond measures on the ballot. Of those three, the Citrus and Monterey CCD bond measures passed, but the San Jose-Evergreen CCD bond measure and parcel tax did not pass. Compared to the previous presidential election, while there was a higher passage rate, only one-third of the number of bonds and half of the total dollar amount were present. One successful bond measure was Measure RR, a \$7 billion LAUSD bond, which was more than half of the total amount of approved bond money, but the bond's impact on the Southern California market is uncertain.

The COVID-19 pandemic and a softening of the electorate are possible factors in the decreased numbers and total monetary amount of bond measures, but another factor is AB 195 and its requirements regarding how to describe measures to voters. Rebekah mentioned her group will continue to work on this issue.

There was not as big of a progressive blue wave as expected when voters voted on ballot measures. Rebekah found the business community still holds power in the initiative process even with a supermajority of Democrats in the State Legislature. As support of this, Rebekah cited the passage of Proposition 23, which overturned a

legislative statute governing the categorization of rideshare organizations' employees. For additional support, Rebekah cited the failure of Proposition 15, a split-roll property tax aiming to provide \$8 to \$12 billion in additional revenue, 40% of which would go towards schools and CCDs. She said this outcome was unsurprising since pre-election polling indicated less-than-strong support for Proposition 15. She acknowledged Proposition 15's failure as a loss for the education community and viewed it necessary to modify the proposition should it reappear on a future ballot. Rebekah noted this election was the best chance in a long time to pass Proposition 15. A public concern during the 2020 Election, according to Rebekah, was on whether this proposition's passage would result in a price increase for consumers due to the higher business property taxes. In acknowledging these factors, Rebekah restated the need to modify Proposition 15 if it is planned for reintroduction.

Rebekah's group is also watching what is happening to the feds in Washington. She is starting to hear rumors of possible infrastructure spending. She expressed optimism by having a community college champion in First Lady, Dr. Jill Biden, and her connections to the White House.

The State Legislature is engaging in an organizational session on December 7, 2020, and they are working out how to deal with COVID-19 and social distancing, with possibly fewer committee hearings, floor sessions, bills, and legislative priorities. Regarding facilities, Rebekah expects legislation on procurement, contracting, and progressive design build, as well as legislation on improving wildfire resiliency and COVID-19 response and reopening. The latter topic includes vaccination, vaccination tiers, and reopening schools. The state is also looking at a potential 2022 education bond measure, which Assemblyman Patrick O'Donnell plans to introduce. Once this bill is introduced, Rebekah will send an update through the CCFC email list. The state expects the initial bill as a K-14 bill, but the final bill may change since UC, CSU, and early childhood education advocates are also interested in this bond measure. The initial bill, according to Rebekah, will probably not identify a dollar amount or election date with the decision to place this bond on the 2022 ballot depending on current and new issues that emerge on the 2022 ballot. Rebekah also stated it is uncertain whether the bond will appear on the 2022 ballot since current conversations are at the very early stage. While the state understands the need for a bond due to almost depleted bond funds, it also plans to develop legislation supporting future needs as well as acknowledging how those needs changed due to COVID-19. Rebekah does not anticipate the legislature taking quick action on deferral buy-downs for the 2021-22 budget.

According to Rebekah, the LAO estimates an operating deficit if the state does not change its spending priorities due to revenue growing at a slower rate than the demand on state programs. The economic rebound is much quicker than was anticipated in the budget act. From August to October, economic activity was up nine percent compared to last year. Despite this, employment will not return to pre-pandemic levels until 2025 at the earliest. The LAO also estimates an operating deficit if spending does not change within the state, expects this deficit for the end of the 2021 FY, and indicates that the State needs to incorporate these concerns in the 2021-2022 State Budget.

The state expects conversations about potential solutions to student housing concerns. Rebekah is working with the Community College League of California, State Assembly leaders, and the California School of Finance Authority. She expects this will lead to spending one-time money on feasibility studies or a larger program and she emphasized the need to remain aware of these conversations. Yet, Rebekah also acknowledged there is still interest in addressing this issue despite the preliminary nature of this development because targeting community college students' housing needs allows the state to address the larger housing issue.

## **F. Prop 39 – CCC/IOU**

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### **1. Hoang Nguyen**

Hoang mentioned the state is working on closing out the final projects for Proposition 39. Currently, the State used \$5 million out of \$5.4 million, meaning over 90% of funds were used for the extension. Only a couple of districts, Marin and Los Angeles CCD, are working on closing out the remainder. Hoang mentioned the extensions and utilization of the remaining funds were successful. The Chancellor's Office plans to complete the final reports later this month and submit this information to the Citizens Oversight Board by February. There is no discussion on similar programs to Proposition 39 due to COVID-19 and budgeting, but climate change and sustainability remain important issues for the state and the Chancellor's Office. Nonetheless, Hoang mentioned discussions on this topic are expected to resume later on.

The Chancellor's Office is also presenting the BOG's energy awards regarding Proposition 39. For the Faculty Student Initiative, Los Angeles CCD's West Los Angeles College's successful project to create the country's first Climate Change & Environmental Studies Associates Degree was declared the winner. For this year's sustainability champion, Peter Hardash of Rancho Santiago CCD was declared the winner for his work in implementing various energy efficiency projects across California, his advocacy for California's community colleges, and his role in different statewide committees supporting and encouraging energy efficiency across the state's colleges. For large colleges' Innovative Projects, Contra Costa College won for their stem building project. For medium colleges' Innovative Projects, Citrus College won for their retro-commissioning energy efficiency project, while for small colleges' Innovative Projects, Hartnell College won for their solar PV project. Hoang mentioned these projects were previously calculated using Proposition 39 funds, but this year going forward, districts submitted their projects on campus to allow reviewers to better understand these projects. Hoang mentioned the Chancellor's Office will push this proposal to the board for review in either January or, if January is unavailable, March 2021.

### **2. CCC/IOU Update – Lisa Hannaman**

Tim mentioned the current charter allows for eight members from the community college system, including three CBOs and five facilities leads. The current membership consists of eight members, but there are only two CBOs, five of these members are from Northern California, and three are from Southern California. Tim mentioned the group proposed increasing membership to 10 with five representatives from each region, with three CBOs and seven district and/or college facilities leads. Tim also wanted the group to contain representatives from each of the IOU areas to better understand how the partnership was working through those representatives' feedback. For this change to pass, the Facilities Task Force needs to approve it. Ann-Marie expressed the need for the group to pass this as a motion, which occurred soon afterwards, and modify the group's charter to reflect these changes. Due to a lack of volunteers at present, Ann-Marie indicated it may take some time before the group can admit the additional two members. Lisa also wanted to vote on a motion to add Hussain to the group, which was initially raised by Jose and later passed by the group.

A solicitation timeline for bringing on a brand-new third party for a brand-new higher education energy efficiency program or partnership in the future was released. The RFA is planned for release by late February or early March 2021. This means someone is possibly on contract by the fourth quarter of 2022 with the program officially rolling out in January 2023. With this change, the partnership will remain intact throughout the timeline, and will involve two years of planning instead of one-year bridges. The statewide solicitation is underway for new construction plans with the intention to place the new firm under contract by August 2021. All new construction for community colleges will move there once the firm is ready, and will no longer occur under the current partnership. Once the

third party is known, the team will receive this information. The organization's charter and policy will also reflect these changes, and the group plans to work with Hoang on this activity.

There is a Southern California Facilities Officers (SCFO) Zoom meeting this month focusing on COVID-19 and air quality. For individuals who want to attend, there is a special speaker from Jose's district. The focus is on HVAC indoor quality from a COVID-19 perspective. Ann-Marie informed us about new OSHA regulations requiring open HVACs to let outdoor air into the building whenever employees are present. Lisa added the HVAC could remain closed if the air quality passes the threshold for emergency conditions such as during wildfires.

Northern and southern California individuals are asking for a joint NorCal-SoCal Facilities Partnership Energy Meeting. The CCC/IOU is planning for a workshop to integrate northern and southern California. While the topics are currently undecided, a Zoom meeting is scheduled for the second quarter of 2021 to discuss issues impacting individuals and those impacts' differences across northern and southern California. Lisa mentioned the meeting would share a similar format to the meetings held the day before the CCFC started.

Despite current difficulties in meeting with districts in the field, there are new offerings for all districts in 2021 for different issues, including financing and energy efficiency. The CCC/IOU is developing an outreach plan to inform districts about these offerings. Fred suggested a smaller committee from this partnership to discuss community colleges' energy efficiency outreach. The group will implement Fred's suggestion and Ron will lead the committee.

#### **G. COVID-19 Costs**

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Currently, there is no update on COVID-19's potential costs on California's community colleges. According to Jose, various community colleges, including those within the San Francisco Bay Area, are facing a ½% to 1% increase in project costs above what is budgeted due to COVID-19. These costs are not because of construction, but due to responding to COVID-19. At the moment, there is no information on those costs' exact numbers. To cover these costs, Jose is asking if they can be captured within the program budget as an allowable charge against the project. The state hopes to achieve a better understanding of COVID-19's impact on California's community colleges by the spring of 2021.

#### **H. Closing**

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Ann-Marie introduced recent FPU employee Druv Bhat to the meeting's attendees. Ann-Marie stated she expects another shutdown by the Governor, but it is too early to predict at the moment. In her closing remarks, Ann-Marie thanked everyone for their attendance and wished everyone happy holidays.