

## ACBO FACILITIES ADVISORY COMMITTEE MEETING

### SUMMARY NOTES

*September 1, 2022*

#### ATTENDEES

**Task Force Members Present:** Hussain Agah, Susan Cheu, Terrence DeGray, Fred Diamond, Tim Flood, MacAdam Lojowsky, Lyndsay Maas, Pablo Manzo, Oscar Guillen, Julia Morrison, Jim Schrage, Erik Skinner, Richard Storti, Jose Torres, Richard Williams

**Chairperson:** Ann-Marie Gabel

**Chancellor's Office Staff:** Hoang Nguyen, Druv Bhat, Wrenna Finche, Harold Flood, Lizette Navarette, Ronnie Slimp, Eric Thorson, Brian Turner, Chay Yang, Lan Yuan

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

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

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

#### A. Committee Reports/Other Issues

- **FUSION Update – Tim Flood**

- i. The FUSION Steering Committee met on August 31 from 1:30 P.M. to 3:00 P.M. For the June 1 Action Items, the FUSION Steering Committee recommended adding more members (an additional CBO) to the ACBO Steering Committee to improve constituency representation. The FUSION Steering Committee sent these recommendations to Ann-Marie. Also, Hoang reached out to Barbara on Cost Model and data updates, while Shirley is working on sending cost model analyses to the ACBO Steering Committee before sending it to the Department of Finance (DOF). While Shirley shared the cost models with the DOF, the DOF wants more cost modeling completed to ensure a robust overview of cost models. Also, Shirley updated the budget through increasing training dollars and sent the updated budget to the ACBO Board. For the Cost Model Project update, Barney and Eric created a spreadsheet that compared Proposition 51 projects for comparison as requested by DOF. While there were initially over 25 projects involved, the number of these projects was reduced to six to ensure a fairer comparison. Through this, the actual site costs were obtained and from there, were compared to the cost models and the data mapping conducted with the RS Means data. From this, it was determined that the newly mapped data and cost models were not within the estimating threshold of actuals. The mapped data and cost models were either higher or lower than the actuals, which were \$21 million. This indicated the need to update the mapping and cost model estimates. While this occurred, the RS Means license was up for renewal. RS Means quoted \$282,000 for the license renewal. However, the FUSION Steering Committee opposed this price and reached out to Saylor, who was their anticipated contact for such situations. Saylor quoted \$19,800 for the data licensing. Saylor will work with the 909 team and Barney to map the data correctly. If the estimation is still not within the estimating threshold of actuals after this mapping, Saylor, at an additional cost, offered to review the cost models to ensure they get closer to the actuals. The FUSION Steering Committee approved Saylor's request. Saylor is anticipated to complete the data modeling within six weeks. DSA is also utilizing Saylor to update their cost models, making it possible to integrate FUSION and DSA's cost models.
- ii. Regarding the FY 21/22 Budget, there were no outstanding fees. While the actual revenues were lower than what was projected in the budget, the annual maintenance fees matched the

projected amount. The amount of FUSION training fees was less than what was anticipated. Overall, the FY 21/22 Budget's total contributions was budgeted at \$1,607,494, but the actual amount came at \$1,603,436. For the FY 21/22 Budget's direct operating expenses, \$1,365,055 was budgeted, but \$1,240,726 was the actual amount. Between actual and budgeted amounts, savings occurred in staff salary and benefits along with travel expenses. However, expenses increased for system services (hosting) due to hosting occurring in two databases. However, these databases will be consolidated into one environment pending the Multi-Factor Authentication (MFA) Go-Live. Once this happens, savings are anticipated to occur in this area for FY 22/23 as hosting costs decrease. For the ending balance, \$213,824 in net assets was added and sent back to the reserves. For the FY 22/23 Budget, there are still \$919,311 in outstanding fees that have not been paid by districts. Only \$683,078 in fees (43% of total fees) have been collected from districts so far. The districts for which the fees have not been collected include Barstow CCD, Lassen CCD, Gavilan CCD, Ohlone CCD, Imperial CCD, Napa Valley CCD, Monterey Peninsula CCD, Victor Valley CCD, Solano County CCD, Desert CCD, San Luis Obispo County CCD, Citrus CCD, Cabrillo CCD, Rio Hondo CCD, Antelope Valley CCD, Santa Barbara CCD, Mt. San Jacinto CCD, San Joaquin Delta CCD, Glendale CCD, West Valley-Mission CCD, Grossmont-Cuyamaca CCD, Palomar CCD, San Bernardino CCD, Kern CCD, Peralta CCD, San Jose/Evergreen CCD, Long Beach CCD, Sonoma County CCD, El Camino CCD, San Francisco CCD, Riverside CCD, Foothill-DeAnza CCD, Pasadena Area CCD, San Diego CCD, and Los Angeles CCD. By the next ACBO-FAC meeting, it is expected that all districts complete these payments. Otherwise, the FUSION Steering Committee will send reminders to the districts who have not done so. For FY 22/23, approximately \$1.6 million dollars in total contributions and approximately \$1.35 million in total direct operating expenses are anticipated. Compared to the FY 21/22 Budget, the FY 22/23 Budget expects increases in salaries and expenses due to cost-of-living increases. Total expenses for FY 22/23 are projected at approximately \$1.5 million. FY 22/23 is expected to add approximately \$89,000 in net assets. Revenues for FY 2023 include \$1,601,944 from FUSION fees. This amount is the same as what was obtained from FY 2022. FY 2023's revenues also consider the costs of the additional assessor. There is also an anticipated 3% increase in expenses to allow for benefits and promotions. For FY 2023, the FUSION Development Fund is expected to contain approximately \$1.8 million. FY 2024's revenues are the same as FY 2023 when it comes to the amount obtained from FUSION fees and the 3% increase in expenses. The reason for this is due to an increase in ASF within FUSION. For FY 2024, the FUSION Development Fund is expected to contain approximately \$2 million. With the FUSION Development Fund, more progressive updates for FUSION. This fund allows FUSION to add items and services as CCC's needs evolve.

- iii. For the FUSION Student Housing Project (SHP) updates, the Chancellor's Office is funding the Student Housing Project updates in FUSION. The SHP kicked off early August with the Chancellor's Office. Erik Skinner is providing district representation for this project, and Eric Mittlestead will also be involved when it comes to providing testing for the application. The decision is still pending on whether the SHP will be in a separate module or within capital outlay. There is also a new trailer bill (AB 190) may change the SHP's requirements if it is signed. Because of the trailer bill's changes and potential impacts to the project, the Chancellor's Office put the project on hold. Ronnie Slimp and Druv Bhat are working alongside Hoang Nguyen on the project. Within the near future, an AGPA (starting this month) and a Specialist (still ongoing) will join these team members to work on the SHP. The Chancellor's Office team will meet with Wrenna Finche and Lizette Navarette on September 2 to discuss this project and how the project should move forward in relation to the new trailer bill. Based on the outcome of that meeting, the Chancellor's Office will then begin work on developing requirements for the SHP module going forward. For FUSION application updates, the FUSION Steering Committee met the Steering Committee on

September 1 to discuss this. For FUSION enhancements, the Multi-Factor Authentication (MFA) and updated Assessment Module are ready to Go-Live. With MFA, colleges' data are better protected against ransomware. However, many colleges have professionals who assist them in using FUSION and these professionals also assist multiple colleges. MFA does not allow for a single password, making it difficult for professionals to oversee multiple colleges. Under MFA, districts will need to ensure their personnel have access to FUSION. The FUSION Steering Committee sought feedback from the FAC on an appropriate timeline to inform colleges of how to prepare for MFA. One possible time to implement MFA is when FUSION activity is low such as after October 24 and before February. The FUSION Steering Committee and ACBO-FAC agreed on a November 1 start date for implementing MFA, and the FUSION Steering Committee will inform FUSION users in advance of this implementation. The Assessment Mobile App will be ready to Go-Live in mid-September. For FUSION Training, Virtual Training was conducted on August 11 for Scheduled Maintenance and Space Inventory, and over 50 participants attended this virtual training. For the Facility Assessment Update, 15.2 million square feet from 12 districts was assessed in FY 21/22. The goal for FY 22/23 is to assess 24.2 million square feet from 20 districts. The FY 22/23 districts were divided into Northern and Southern California. Barney is assessing Northern California districts, while Vito and Anthony are assessing Southern California districts.

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

- The Chancellor's Office plans to flesh out the SHP module for FUSION. Ronnie and Druv are reviewing the relevant legislation and looking at the processes, procedures, and needs requirements for this module. The Chancellor's Office is also looking into set up contracts for the module's development. The Chancellor's Office plans to have the module ready for testing by the end of this year or the beginning of next year.

#### **C. Enrollment Projections – Lizette Navarette**

- When the Chancellor's Office presented the 5 Year Capital Outlay Plan to the Board of Governors (BOG) in 2021, the BOG requested the Chancellor's Office to update Long-Range Enrollment and Weekly Student Contact Hours (WSCH) Forecasts. This is due to long-term concerns about enrollment flattening, people migrating out of California, and lower birthrates within California. The BOG is looking to determine how to adapt to these changes. While there are no Chancellor's Office recommendations at this point, the Chancellor's Office is interested in starting conversations around this subject with the ACBO-FAC. The Chancellor's Office is also interested in exploring how the ACBO-FAC can support their work on the enrollment projections. The Chancellor's Office wants to work with the ACBO-FAC to start discussions on whether current long-range enrollment forecasts are realistic, if and whether improvements to the enrollment projections should be considered, and how methodology updates can support facilities' modern uses. The current approach to the enrollment projections are that they should reflect potential headcount. The enrollment projections are the result of a combination of variables that include student participation rates, "in district" and "out of district" enrollment, WSCH to enrollment ratios, and adult population projections based on Geographic Information System (GIS) zip code data. However, the Maximum Population Participation Rate (MPPR) model does not provide enrollment forecasts. Instead, the MPPR model uses the districts' highest WSCH/Enrollment ratio within the previous five years, subtracts it from the most recent actual WSCH/Enrollment ratio, and divides that number by seven. While the WSCH growth rate is used to determine districts' forecasts for the next 10 years, the MPPR methodology does not forecast future enrollment. With recent statewide declines in enrollment, the MPPR model for Long-Range Enrollment and WSCH Forecasts demonstrates rates more generous in the long-term than what one might expect with substantial enrollment rates. If enrollment declines and stagnation continues, the MPPR model

will continue to overstate the number of potential students because that model dampens the volatility of enrollment. In the process, the MPPR model fails to provide districts with accurate planning information. The Chancellor's Office wants to begin a discussion of considerations around remediating this. These considerations include convening a new working group to reevaluate or replace the MPPR model, review the MPPR model's growth rate formula, and reassess methodologies supporting enrollment projections and WSCH rates. The Chancellor's Office plans to gather a list of organizations for the ACBO-FAC to determine in its December 2022 Meeting which ones the Chancellor's Office can partner with for this work. At that same meeting, the Chancellor's Office also plans to meet with the ACBO-FAC to determine whether regional volunteers can be recruited into a group for work on this task starting early 2023. The Chancellor's Office aims to complete this work around the enrollment projections within a year at minimum. Throughout this process, the Chancellor's Office will also keep the BOG, Legislature, and DOF updated on the status of their work regarding the enrollment projections.

#### **D. Scheduled Maintenance (Energy Efficiency) – Hoang Nguyen**

- The 2022-23 Physical Plant and Instructional Support (PPIS) Allocation Memo was sent out in August 2022. This memo contained information on how the PPIS program now supports energy efficiency projects. The Chancellor's Office worked with Investor Owned Utilities (IOUs), Lisa Hannaman from the California Community Colleges Investor Owned Utilities (CCC/IOU), and the California Energy Commission (CEC) to determine what is the best possible methodology for districts to submit energy projects under the PPIS program. Within these conversations, everything tied back to the California Public Utilities Commission's (CPUC's) loading order, which was previously followed by the Chancellor's Office over the last five years to ensure districts met Proposition 39 guidelines for their projects. Many of the conversations around the loading order explored how to get districts who have done Proposition 39 projects to fall back onto that train of thought and what types of these projects are feasible for the PPIS energy efficiency program. Hoang asked the IOUs to help construct a chart/table demonstrating eligible projects under this program. This chart, which is present in the 2022-23 PPIS Guidelines, contains a column for loading order categories, which are broken down into project types present in the adjacent rightward column. The loading order categories are Energy Efficiency and Conservation, Renewable Energy and Distributed Generation, and Clean Fossil Fuel. While the first two loading orders contain project types that are eligible for the PPIS energy efficiency program, the last loading order does not apply to that program. There is still the question of whether Electric Vehicle (EV) charging stations are eligible for the PPIS energy efficiency program. Hoang met with Ron Beeler and Lisa for additional discussion on this topic and is continuing to reach out to Lisa for additional guidance. Hoang will also look at whether the PPIS energy efficiency program applies to sub-metering, whether water conservation (e.g., graywater) can operate in conjunction with energy efficiency, and expanding the PPIS scheduled maintenance program to include student housing. Nonetheless, as energy projects are entered into FUSION, they will be evaluated in accordance with the PPIS Guidelines. For the most part, these energy efficiency projects must follow the loading order stated in these guidelines. Once all Project Funding Proposals (PFPs) are submitted in October, the Chancellor's Office will review those PFPs to ensure they meet these requirements. The Chancellor's Office will work with the IOU to determine where PFPs unable to be accurately assessed fall within the PPIS Guidelines' loading order.

#### **E. Affordable Student Housing (Total Cost of Ownership) – Ronnie Slimp and Alex Jiral**

- Ronnie Slimp and Alex Jiral worked on the Total Cost of Ownership calculator for affordable student housing alongside Wrenna Finche. The main purpose of the Total Cost of Ownership calculator is to serve as a tool for districts to use for planning the implementation, construction, and maintenance of their affordable student housing programs and facilities.

This calculator looks at all potential revenues and expenditures associated with affordable student housing and also analyzes affordable student housing's costs, including long-term costs. The calculator also aims to tie into the work conducted by the ACBO-FAC on affordable student housing. Ronnie and Alex also met with various facilities directors for feedback on how to improve the calculator. The expenditures used by the calculator is a comprehensive list not only relevant to the construction and planning of affordable student housing, but also considerate of costs around Furniture, Fixtures, and Equipment (FFE) and affordable student housing district personnel wages. The calculator aims to provide a balance of revenues and expenditures to ensure an accurate portrayal of the total net cost of ownership. There is also a time value of money aspect where long-term total costs of the affordable student housing facilities and programs are captured. However, the calculator's layout is simple, with separate tabs for financial summary, revenue, expenditures, and instructions in that order. For the summary tab, the lifetime estimated revenues and expenditures are calculated and used to obtain the net amount containing the balance. The expenditures tab is the largest section. Within that tab, the line items, which are broadly worded to provide flexibility for districts and capture the major expenses, are broken into categories. These categories include Utilities, Insurance, and Legal and Financial Services. The expenses are also broken down into one-time (e.g., foundational, planning work) and recurring (e.g., plumbing, electrical maintenance/upgrade work) expenses. There are columns for one-time/initial expenses where the costs would be upfront as well as estimated annual expenses applicable to recurring expenses. The calculator also has columns for the life cycle of each cost element on a yearly basis as well as for a housing facility with a 50-year useful life. There is also a column for the total life cycle cost of cost elements for a housing facility with a 50-year lifespan. Columns are also present for the inflation factor (adjusted according to what is present for each district), the present value of the annual cost, and the lifetime estimated cost. While there are some areas within the expenditures tab containing formulas, all of the cost elements (recurring and one-time expenses), estimated annual expenses, and life cycle elements can be adjusted by the district. The revenue section contains line items organized into various categories in a manner similar to the expenditures section. Currently, the revenue tab contains six categories, which are federal revenue (i.e., federal grants), state revenue (i.e., state grants), local revenue (i.e., bond funding), rental income, campus income, and other. The revenue tab also contains columns for one-time revenue, annual revenue, estimated yearly recurring revenue, inflation factor, present value of revenue, interest rate on revenue, estimated interest earned on revenue, and lifetime estimated revenue. Alex and Ronnie will continue to gather input on the calculator and plan to add additional line items for expenditures and revenue as well as further develop the instructions section to provide greater clarity on the calculator's use. Upon the calculator's finalization, it will be made available alongside documents relevant to the affordable student housing program.

## **F. Affordable Student Housing (Space Utilization and Standards – Capacity/Load) – Hoang Nguyen**

- Hoang sent the Space Utilization and Standards – Capacity/Load report to Ann-Marie, who sent it out to the ACBO-FAC members. Within the report, these standards contain data on ancillary spaces going into student housing. These ancillary spaces involve services provided to students that would help them obtain their degrees in a relatively faster and more efficient manner compared to when these services are not present in that housing. Some of these services are off-campus, on-campus, or are directly provided to students. In doing so, students can use these services to meet their needs rather than go to campuses' administrative spaces, student service areas, or outside buildings for these services. The questions emerge of whether to include these ancillary spaces within the cap/load ratio, how much of this ancillary space ASF to include, and this ASF's impact on the cap/load ratio? Within the report containing these standards, comments were provided by the ACBO-FAC on how to approach them.

Hoang will continue to update the report based on the ACBO-FAC's comments, and a timeline for the report's development will be released. As the report progresses in accordance with the timeline, Hoang plans to continue communicating with the ACBO-FAC on the report through email. Hoang will also schedule another meeting with the ACBO-FAC for further discussion on the report if the circumstances permit.

## **G. Division of State Architects**

- **Ida Clair, AIA – State Architect**

- i. Beginning September 6, 2022, DSA staff will return to the office. Staff are available in the office Tuesday, Wednesday, and Thursday and in-person meetings are available on those days upon appointment. Most staff will telework Monday and Friday. This is the beginning of the hybrid work schedule. In August, there was over \$1 billion in construction. For that month, the Sacramento office, which contained 45.7% of projects and a total project cost of over \$460 million, was the busiest. For September, there is almost \$818 million in construction pending. The busiest office is the Los Angeles office, which contains 30.1% of projects for a total project cost of over \$178 million. For October 2022, there is approximately \$428 million in construction pending with only half the month covered so far. Currently, the Oakland office, which contains 33.3% of projects and a total project cost of approximately \$34 million, is the busiest office. The DSA is open at any time upon appointment. To meet with the DSA, fill out Forms DSA-91 (for the Oakland office), DSA-92 (for the Sacramento office), DSA-93 (for the Los Angeles office), or DSA-94 (for the San Diego office). These meetings can determine if submission to DSA is required for projects and any exemptions for these projects. These meetings can also be conducted to discuss schedule, code interpretations, or new code requirements.
- ii. For housing legislation, AB 306, which was chaptered on 7/9/21 under Chapter 49 (Statutes of 2021) of the California Building Code (CBC), requires local jurisdictions to review employee and faculty housing projects. These projects are considered “public housing” and “housing at a place of education” if designed for faculty. If designed for employees, these projects are considered “public housing.” The DSA may still provide oversight to ensure housing projects on school campuses do not conflict with site accessibility and life safety requirements. SB 169, which was chaptered on 9/23/21 under Chapter 49 (Statutes of 2021) of the California Building Code (CBC), provides affordable, low-cost housing options for students enrolled in public postsecondary education in California. Of the bill’s funds, 50% of these funds are available for CCCs to facilitate low-income student access to higher education. Full submittal to DSA is required under this bill if the housing occurs on campus or district-owned property. Full submittal to the DSA is also required if the housing occurs off campus on property leased by the district with a purchase option. If this off campus housing uses district/state funds for construction, Access Compliance review by the DSA and submittal to local jurisdictions is required. Projects under this bill are considered both “public housing” and “housing at a place of education” if they are designed for students.
- iii. The DSA also has multiple collaboratives and workgroups. One such collaborative is the Public School Construction Collaborative (PSCC), which offers insight on matters protecting the Field Act’s intent. The PSCC also advises the DSA on policy issues. The PSCC reviews and comments on proposed legislation or offers insight on adopted legislative changes. The PSCC also reviews and advises the DSA on the Interpretations of Regulations (IRs) at the request of the State Architect and serves as a liaison to stakeholder groups. The PSCC also reviews and comments on the CBC at the Triennial and Intervening Code Cycles and offers insight on interpretive issues arising between code cycles. Another collaborative is the Access Code Collaborative (ACC), which will be meeting later this September. The ACC offers input and feedback regarding proposed CBC amendments. The ACC also helps create transparency for the rulemaking record regarding the discussion of these proposed amendments and the ACC’s recommendations. The ACC also offers code

change proposals for consideration by the DSA addressing the diverse needs of code beneficiaries (people who need an accessible environment) and clarity sought by code users (people who design, build, own, operate, or regulate the built environments). The ACC identifies opportunities to strengthen public awareness, engagement, and training when it comes to supporting regulatory development and CBC compliance. The DSA's Existing Buildings Task Force already held five meetings to address administrative code changes or policy changes on the building replacement cost and reaching the 50% threshold. The Existing Buildings Task Force is also working on a solution to facilitate predictable project planning, encouraging building reuse, and ensuring the modernization of existing school buildings in a manner addressing safety standards. The Existing Buildings Task Force is also exploring policy changes, IR changes, and/or amendments to California Administrative Code (CAC) Section 4-309(c). These CAC Amendments, if needed and adopted by the Building Standards Commission (BSC), will become effective starting September 2024. At the moment, the Existing Buildings Task Force has a Cost Estimator, who will work on replacement value costs that emphasize regions, but are also realistic. These replacement value costs are planned for update at least every six months if necessary. As such, IR EB-4, will be updated to replace default values. This is planned to occur after 1/1/23. Revisions to IR EB-3 are planned to permit waiver of Evaluation and Design Criteria Report (EDCR) and materials testing if single-story wood-frame buildings meet certain conditions. The Existing Buildings Task Force is also developing a white paper exploring alternatives to the 50% threshold rule. These alternatives are a tiered approach requiring a minimum level of structural system upgrades if a certain dollar amount is spent, a trigger approach based on construction cost percentage, or a Work Area Method-based approach as permitted by the International Existing Building Code (IEBC). These options will be explored and brought back to the Existing Buildings Task Force for additional discussion. The DSA is also working on a roadmap to carbon neutrality by establishing the CALGreen Carbon Reduction Collaborative with the BSC, Housing and Community Development (HCD), and state and national climate action leaders such as American Institute of Architects (AIA) California, U.S. Green Building Council (USGBC), Rocky Mountain Institute, New Buildings Institute, and Industry Stakeholders. The Carbon Reduction Collaborative works to identify methods to address embodied carbon in construction and also supports increasingly progressive regulations with an education and outreach program involved. The CALGreen Carbon Reduction Collaborative aims for incremental increases in carbon reduction strategies to support and achieve California's climate action goals through updates to CALGreen. The next meeting for the CALGreen Carbon Reduction Collaborative is September 8 from 9:00 A.M. to 12:00 P.M. Within CALGreen, there are three proposals for achieving carbon reduction: (1) Building Reuse, (2) Whole Building Life Cycle Assessment (WBLCA), and (3) Prescriptive Product Global Warming Potential (GWP) Compliance. Alteration and addition projects of at least 50,000 SF can choose any of the three options for compliance. New construction projects of at least 50,000 SF or greater or additions where the aggregate area is twice that of the existing building must choose the second or third option for compliance. If this is adopted, it would go into effect 7/1/24. There is also the EV Charging Workgroup, which is a collaborative workgroup led by BSC, DSA, and HCD. The EV Charging Workgroup also encompasses stakeholders such as EV Users, EV Service Providers, Facility Owners, Utility Companies, EV Advocates, and Enforcement entities. The EV Charging Workgroup aims for incremental increases in EV charging infrastructure to support and expand the availability of electric vehicle charging facilities to all EV users and to achieve California's climate action goals. Proposals within the EV Charging Workgroup are still in development, but are planned to be released for public comment after 1/1/23. The All Gender Multi-Stall Restrooms Workgroup, a public stakeholder workgroup led by BSC and DSA, seeks to change the California Plumbing Code to permit all-gender multi-stall restrooms rather than sex-segregated restrooms. More information on DSA

Collaboratives and active rulemaking is available under the DSA-SS/CC Active Rulemaking tab on DSA's CALGreen Code Development webpage. The DSA is pushing a sustainability is safety initiative. The DSA is also conducting a Sustainability Plan Review around the areas of energy regulations, Proposition 39, solar photovoltaics, outdoor water regulations, and outdoor water use FAQs to expand public awareness of requirements within these areas. The Sustainability Plan Review will also consider information on shade trees and EV charging infrastructure. To improve energy efficiency at schools, DSA's Achieving Net Zero Energy & Net Zero Carbon in School Facilities webpage contains information on how schools can incorporate sustainability measures and move towards achieving net zero energy and net zero carbon. Also, the DSA Sustainability Education and Outreach webpage, which contains information on energy efficiency and water conservation, is constantly updated. The DSA Academy addresses sustainability training and is constantly being updated with more information. There is also DSA's School Sustainability Showcase, which highlights school districts' efforts to plan for and prioritize sustainability in public school facilities within California. While Yosemite Community College's ZNE-verified Central Services Building was displayed earlier for this, a K-12 school will be portrayed in terms of how it achieved more sustainable facilities. For additional updates, Ida encourages subscribing to the DSA's Listserv to receive communications from DSA's mailing lists by clicking on the Subscribe button at the bottom of the DSA homepage.

## **H. Legislative Update**

- Rebekah Cearley – Legislative Advocate**

- i. The Community College Facility Coalition (CCFC) Conference will occur from September 7 to 9 of this year. Robust attendance is expected for the CCFC Conference. This year's CCFC Conference will contain information on student housing from the Chancellor's Office. While a substantial amount of scheduled maintenance funding was received and \$403 million was allocated for continuing projects, there was no funding provided for new start projects. The CCFC is exploring possible options for providing greater support to capital outlay projects and will inform the ACBO-FAC on any further developments.
- ii. For student housing, the Legislature recommitted to student housing. This recommitment occurred through an increase in student housing funding from \$2 billion to \$4 billion through 2024-25. In this fiscal year (2022-23), \$1.4 billion was allocated to fund projects deemed acceptable in the first application round. This includes 12 CCC construction projects for a total of \$542 million as well as \$18 million for CCC Planning Grants. There is also additional authorization for \$7 million to potentially go towards CCC Planning Grants as current statutes authorize up to \$25 million for those purposes. The CCFC will keep watch on future developments in that area. For the 2023-24 fiscal year, \$750 million for the three higher education segments (CCC, UC, CSU) is anticipated for the next application cycle. There were two changes within the student housing program in 2022. The first change was in AB 183 (Committee on Budget), which was passed last summer. AB 183 placed the Chancellor's Office as the administering entity for CCC student housing programs, changed the process for calculating annual rents, added clarity on the number of beds needed within the application, authorized state grants to fund project contingency plans, and required districts to take responsibility for any costs going beyond the state grants. The second change was in AB 190 (Committee on Budget), which was passed by the Legislature on August 30 and is on its way to the Governor. For AB 190, future construction grant applications may only be submitted after the completion of feasibility studies and preliminary planning and the development of "reliable" cost estimates. AB 190 also allows applicants to submit applications for previously ineligible projects. The CCFC will look to the Chancellor's Office for guidance on the changes made by AB 183 and AB 190. AB 190 also authorizes the creation of a new revolving loan fund. While the revolving loan fund has not been funded yet, AB 190 mentions providing a total of \$1.8 billion for this program. Of

that amount, \$900 million is anticipated for 2023-24, and \$900 million is anticipated for 2024-25. Projects under the revolving loan fund can be higher education, student, and workforce housing projects. For CCCs, the California School Finance Authority and the State Treasurer's Office are tasked with running and overseeing applications within that program. Materials for those applications will be available by 4/1/24 and applications for the first cycle will be due by 7/1/24. The revolving loan fund program still mandates skilled and trained workforce in a manner similar to design-build projects, but with some key differences. These differences include requiring CCCs to report to the Department of Industrial Relations (DIR) on their certified payroll records and the assessment of penalties for districts instead of their contractors in the event of any violations.

- iii. One legislation Rebekah highlighted is SB 1144 (Wiener), which was passed by the Legislature and is awaiting the Governor's signature. This bill relates to water quality assessment for local education agencies (i.e., K-12 schools) and state agencies, which includes CCCs. This bill requires the preparation of a water efficiency and quality assessment report, but the state will not provide any funding for this. This report must include an inventory of all noncompliant plumbing fixtures, a determination if a cooling tower is present, a determination if a water management program is present to reduce the risk of legionella, and an evaluation if there is any lead pipes or material within buildings. SB 1144 also mandates lead testing to determine if there is any lead contamination. While this testing does not apply to local education agencies, CCCs are subject to this requirement. SB 1144 also sets additional requirements for cooling towers located in buildings that are above 10 stories and mandates mitigation for any issues identified by the assessment report. However, this bill prohibits these mitigations from going into effect unless funding sources are identified to allocate funds towards these mitigations. Implementation of SB 1144 will occur in conjunction with the California State Water Resources Control Board, who will create regulations designed to better implement the bill's provisions. At the moment, the CCFC is unsure if the Governor will sign it. While the CCFC was concerned about the bill, they did not take any positions on it since they realized the bill's impact on CCCs late into the legislative cycle. For SB 886 (Wiener), which centers on CEQA exemptions for public university (CCC, UC, CSU) student, faculty, and staff housing projects, the bill was passed by the Legislature, but the Governor has not yet signed it. Even though CEQA exemptions are provided by SB 886, housing projects subject to the law must meet certain requirements to gain these exemptions, including requirements for a skilled and trained workforce. Rebekah will provide additional information on SB 886 at this year's CCFC Conference. There is no bond on the November 2022 ballot due to the Governor and Legislature's preference to use General Fund dollars to pay for facilities. K-12 facilities are getting approximately \$4 billion dollars over a number of years up to 2024-25. However, this is just a commitment that is dependent on revenues. It is also uncertain if \$4 billion is enough to sufficiently fund K-12 schools during that period. The CCFC is currently gathering information to determine if sufficient funding is available for CCCs during this period. The CCFC is also looking at the possibility of an education bond in the 2024 election cycle.

## I. CCC/IOU

- **CCC/IOU Update – Lisa Hannaman**

- i. The CEC requested the CCC/IOU to transfer their energy efficiency program over to a third party implementer. At the Energy Resource and Sustainability Partnership Meeting, the CCC/IOU found that Higher Education Energy Performance Program (HEEPP) will be the third-party implementer for this program. HEEPP provided a performance overview of the program, which included energy efficiency service and technical assistance. HEEPP will also function as the single point of contact for the districts and will promote incentives that include direct installs and metering-based programs. More information will be available later on and a HEEPP representative will be present at this year's CCFC Conference. The

CCC/IOU is also working alongside the Strategic Energy Innovations (SEI) team on the Climate Corps Fellows (CCF) program. The CCC/IOU and SEI plan to add CCF officials to campuses within the Southern California Edison (SCE) area, namely Citrus College and San Bernardino Valley College. The CCC/IOU and SEI is also exploring whether to add more CCF officials to campuses within the San Diego Gas & Electric (SDGE) area. The CCC/IOU collaborated with the Chancellor's Office to create a list of eligible projects for the PPIS energy efficiency program. The CCC/IOU aims to continue working on this list in a manner where CCD's needs are taken into input. The CCC/IOU recommends subscribing to their newsletter to view the newsletter's resources on energy efficiency.

**Upcoming Meetings:**

**December 1, 2022**

**March 2, 2023**

**June 1, 2023**

**September 7, 2023**