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| C:\Users\huber_k\AppData\Local\Temp\wz9d54\co_cde__dept_300_rgb_standard.png | **Vision**  *All students in Colorado will become educated and productive citizens capable of succeeding in society, the workforce, and life.* |

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| **Goals**  *Every student, every step of the way*  **Start strong**  **Read by**  **third grade**  **Meet or**  **exceed standards**  **Graduate**  **Ready** | |
| **Date & Time:**  July 28, 2016  2:00 p.m. – 5:00 p.m. | **Location:**  CASE Conference: 620 Village Road, Breckenridge, CO 80424  Iris Room |

**Capital Construction Assistance Board Members**

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| Tim Reed – Pro Tem Chair  Kathy Gebhardt  Cyndi Wright | Denise Pearson  Ken Haptonstall | Scott Stevens  Karl Berg |

1. **Call to Order**
2. **Pledge of Allegiance** – The pledge of allegiance was not recited.
3. **Roll Call** – Tim Reed, Karl Berg, Kathy Gebhardt, Ken Haptonstall, Denise Pearson, Scott Stevens
4. **Approve Agenda** 
   * Motion by: Scott Stevens
   * 2nd by: Kathy Gebhardt
   * Motion to approve agenda passed unanimously
5. **Approve Previous Meeting Minutes from June 28th, 2016 Meeting**
   * Motion by: Denise Pearson
   * 2nd by: Kathy Gebhardt
   * Motion to approve agenda passed unanimously
6. **Board Report**

Kathy Gebhardt mentioned to the CCAB that she had heard great feedback about the BEST and Facility

Insight presentations given earlier in the day at the CASE Conference.

Ken Haptonstall updated the CCAB about Garfield RE 16’s newly awarded BEST projects stating they are off to a good start.

Cheryl Honigsberg from the BEST staff added that Edison 54 JT would be hosting a ground breaking for their BEST project later in August.

A district representative from Ouray in the audience added that they will be hosting an open house for their BEST project and that their project has been on schedule and under budget.

1. **Director’s Report**  
     
   Kevin Huber started the Director's report by informing the CCAB of updates to the Facility Insight assessment program. Kevin stated that Ashley Moretti had given a presentation about Facility Insight earlier that day at the CASE Conference and there was a large turnout. He continued by stating the assessment team had begun calibration testing at the following schools: Sheridan High School July 19-21, Sheridan ES and MS August 9-12, and Lake County District July 25-28.He added that assessments of all public schools in the state would begin the week of August 22nd.He also added the assessments would contain a school condition survey which examines all of the school's major building systems, as well as an adequacy survey that examines how well the buildings within a school campus help educators deliver educational programs. Kevin proceeded with the update by stating the assessments are going well including capturing/inputting data into Facility Auditor, which is the assessment mobile data collection tool, and the public portal for districts to view assessments is still being developed by VFA.  
     
   Ken Haptonstall asked if the data collected from the facility assessments would be universally compatible with other districts databases. Kevin answered that the data has the ability to be downloaded off the Facility View portal once it has become available to the public and should be in a standard format for districts to upload into their own databases. Kathy Gebhardt asked Kevin what the timeline is for all public schools to be assessed throughout the state. Kevin told the CCAB that the predicted timeline is approximately three years.

Kevin continued by leading a discussion about the water testing in school facilities. He mentioned to the CCAB that testing water in school facilities has turned out to be more expensive than anticipated. He stated it would cost the Division of Capital Construction approximately $200,000 to do two water tests (drinking water and running water) on each campus. Kevin added that by statute, the Division of Capital Construction is required to do a water examination of drinking and running water on each campus, but the prior assessment done in 2008-10 had already met that statutory requirement. Scott Stevens mentioned his districts concerns about their water quality and proposed the idea of using the water testing data regulated by utility companies in the surrounding areas. Tim Reed added that although that may be a possibility, it is not often the water source that is contaminated, rather the piping the water flows through within a school is the source of water contamination. Kevin Huber proposed the possibility of having a water quality question on the adequacy survey that allows a district to delineate a concern about their water quality. If a concern is noted, the assessors can take samples of the drinking and running water and send them off to a private lab to be tested. The CCAB recommended that the Division staff look into the cost of water testing further and present a breakdown of cost at the next CCAB meeting.

Kevin continued his director's report by giving the CCAB updates on appointments. He gave a brief overview of the process of replacing Lyndon Burnett (School Board Member), which will be done at the August State Board meeting on August 10th. He mentioned that there are 4 candidates interested in filling that spot on the CCAB. He also mentioned that the division is still waiting on Scott Stevens and Karl Berg's reappointment letters to be approved. Denise Pearson asked if there was any news on the Technology CCAB position being filled and Kevin responding saying the position is still vacant at this time and there is not an update on when it will be filled.

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Kevin updated the CCAB on FY2016 revenues that the Division will be seeing. The Division will receive approximately $65.7 million dollars from the State Land Trust Board, approximately $6 million from the lottery, and the Division has reached its cap of $40 million dollars from the marijuana excise tax for the second year in a row. In addition, Kevin stated the COP funding cap had increased to approximately $150 million dollars. Kevin asked the CCAB if they would like the BEST applicants to know of this increase which allows lease-purchase finance projects to be an option in this coming years grant cycle. Tim Reed asked if we have to spend all the $150 million dollars at one time or if we could spilt it up over the next couple of grant cycles? Scott Newell, former Director of Capital Construction, recommended to the CCAB that it's better to use the COP money for years the CCAB is low on cash grants. Ken Haptonstall mentioned to Kevin that applicants want to know how much money will be available for this coming grant cycle. Kevin told the CCAB that there will be approximately $50 million in cash grants and $10 million in lease-purchase.

Kevin Huber introduced Jim Owens, the new Director of the Division of Capital Construction to the CCAB and the audience. Jim Owens then took a couple of minutes to introduce himself.

1. **Discussion Items**
   1. **Review of BEST Grant Application Process, Survey Feedback, and Staff & Board Recommendations**

Kevin Huber started the "lessons learned" conversation by presenting the CCAB with the survey results from this past grant cycle. The survey was distributed to every person connected with a district’s application process. The survey aims to make sure that the Division Staff and the CCAB accommodated each applicant, and that the application and selection process was fair and transparent. Kevin told the CCAB that majority of the comments received in the survey were positive.

Ken Haptonstall pointed out to the CCAB that where the funding line fell for this years awarded projects contained a number of projects below it that were estimated at $2 million dollars or less. If there was a way for the CCAB to appropriate funding for districts whose projects are under a certain dollar amount, the CCAB can give financial assistance to more districts in need. Kevin Huber added that in the grant application there could be a box to check for projects that are suitable to be a lease-purchase project. If the CCAB can delineate between the two types of projects, then during the selection process, the CCAB can have two shortlists, one for cash grants and one for lease-purchase. Ken Haptonstall also recommended that all of the larger projects and smaller projects be presented on different days.

Ken Haptonstall asked Kevin Huber about the scores given and if he could be transparent with the CCAB about the scores. Kevin replied saying that the majority of the scores given by each CCAB member were consistent throughout the entire process. Denise Pearson asked the CCAB if it would be beneficial for each CCAB member to share their rubrics for scoring but the CCAB decided that if each CCAB member is consistent with their scoring throughout the selection process, their individual ways of scoring a project add differentiation to the process.

Scott Stevens added to the conversation that the narratives in the grants can often be too lengthy and lack important information. Kevin Huber explained to the CCAB that the Division of Capital Construction encourages grant applicants to work with Regional Program Managers throughout the process. If the applicant works with the Regional Program Manager, the Regional Program Manager makes sure that important information pertaining to the grant is either in the project or the manager's notes. Kathy Gebhardt mentioned if a CCAB member asks a question to the Regional Program Manager if the Regional Program Manager could forward that information on to the rest of the CCAB.

Denise Pearson brought to the CCAB's attention that she believes that the waiver questions are not clear with what they are asking. Kevin Huber responded saying that the Division Staff works with applicants applying for a waiver, and each question on the waiver reflects a certain data point in the match criteria. He also added that not all questions apply to each applicant and that's why some waiver questions are left blank.

Denise Pearson continued by asking if the Division if they could provide the CCAB with a prioritized list of projects to the CCAB. Scott Newell, the former Director of the Division of Capital Construction informed the CCAB that in the past the Division has done that but it can backfire if a grant is prioritized but not funded. The district questions the CCAB on why they didn't see the importance of the project if the Division prioritized it. In this case, the Division comments are supposed to help bridge the gap of any possible questions that arise in applications.

Denise Pearson also brought up to the CCAB Swallow's Charter School survey comment about how the CCAB has given their recommendation in the past on how to use their capital construction funds but now the CCAB criticizes how they have spent their funding. Scott Stevens added that there is a miscommunication on advice that is given to an applicant, Swallow's for instance, and despite any advice given, it is ultimately the districts responsibility to use their funding wisely.

Denise Pearson mention to the CCAB that it may be a good idea to recommend to applicants that they familiarize themselves with their projects before presenting in front of the CCAB. She added that from the time that the grant is written and submitted, it is a few months before the selection process meeting. She also stated that in this past year's grant cycle there were a lot of good grants that were shortlisted and they were not shortlisted just because it makes the process softer on the applicant.

Denise Pearson wrapped up her comments on "lessons learned" by asking the CCAB if it is important to take into consideration if a project will be completed if it is not funded by BEST. The CCAB agreed that this is not important information as the grant is open to all districts who feel they can benefit from financial assistance for capital construction costs.

* 1. **Review of BEST Charter School funded grants**

Kevin Huber presented a spreadsheet to the CCAB containing a summary of funded school district and charter school BEST grants through FY15-16 grant cycle. Data from the FY16-176 grant cycle was not included as there are too many bonds that have the possibility to fail and skew the data. Kevin also added that the CSDB and BOCES are not included in this spreadsheet either as their funded projects only represent a small percentage. The CCAB collectively agreed that once the November 2016 election results are certified and awarded grants are finalized, the State Board of Education needed to be aware of this spreadsheet as it portrays an accurate picture of how the BEST grant funding has been distributed over past years. The spreadsheet noted that districts are 84% of all applicants submitted and charter schools are the remaining 16% of all applicants submitted. In addition, the percentage of per pupils helped through BEST are 15.55% or approximately 600 per project in a district or 8.39% in charter school and approximately 397 pupils per project. Scott Newell, previous Director of the Division of Capital Construction also added that a spread sheet of funds allocated solely to charter schools through the charter school grant program also be included with information sent to the State Board of

Education.

*Tim Reed excused himself from the meeting*

* 1. **Review Redlined Draft of the BEST Rules and Rulemaking Timeline**

Kevin Huber introduced the proposed BEST rule changes to the CCAB. He explained the modifications due to SB 16-072 and HB 14-22 including: the definition of a charter school, the CCAB may only provide financial assistance to a school in existence of at least three years from their application date, the prioritization of technology has been reprioritized from a priority three to a priority one, and the language related to providing financial assistance to an applicant that is in a leased facility has changed. Scott Stevens asked how computers will be classified according to statute and if they will fall under "real property" or "capital asset''? Scott Newell, former Director if the Division of Capital Construction explained that the CCAB will need to determine an interpretation of classification/prioritization of property as described in the technology language of the statute.

Kevin Huber proceeded with the discussion about the BEST rules by going over the rulemaking timeline with the CCAB. He informed the CCAB of the following dates:

7/29/16 -file notice with SOS/DORA

8/10/16- notice published in the Colorado Register

9/28/16- hold public hearing for proposed rule changes

9/28/16-adopt rules

9/29/16 - request AG opinions

10/18/16-receive AG opinions no later than this date

10/18/16-file rules

11/10/16-rules published in Colorado Register

11/30/16-rules effective date (before the next grant cycle opens)

* 1. **Review Redlined Draft of the Public School Facility Construction Guidelines**

Kevin Huber introduced the proposed construction guidelines to the CCAB by stating that these are ideal guidelines to be used as minimum standards in BEST projects. He explained that the proposed changes to the construction guidelines were gathered from the Colorado Department of Fire and Safety, CDPHE,

District Personnel, State Architects Office, Engineers, ect. Jim Owens, the Director of the Division of Capital Construction added that these guidelines do not replace guidelines set by a district. Kevin Huber told the CCAB that all other recommended changes should be sent to Cheryl Honisgberg by no later than the end of the day so Cheryl can file the proposed changes with the appropriate agencies. Kevin then informed the CCAB that the process for accepting the proposed changes to the Construction Guidelines will follow the same process for the BEST Rules.

1. **Future Meetings**

* August 24, 2016 – 8:00a.m.-4:30p.m. Location: TBD
* September 28, 2016 – 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203
* October 26, 2016 – 1:00 p.m. Location: 201 E. Colfax Avenue, Room 101, Denver, CO 80203

1. **Public Comment** – No attendees were signed up for public comment.
2. **Adjournment** – 4:35 P.M.

Motion by: Kathy Gebhardt

2nd by: Ken Haptonstall

Motion passed unanimously