

Thursday, January 14, 2021

The Board met at 10:04 a.m., via teleconference (Governor's Exec. Order No. N 29-20 (March 17, 2020)), with Mr. Vazquez, Chairman, Mr. Schaefer, Vice Chair, Mr. Gaines and Ms. Cohen present, Ms. Stowers present on behalf of Ms. Yee in accordance with Government Code section 7.9.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Vazquez.

ANNOUNCEMENTS

Mr. Vazquez provided guidelines for teleconference Member participation. Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, provided guidelines for teleconference invited speakers and public participation.

PUBLIC POLICY HEARINGS

Mr. Vazquez deferred the *Board Discussion on Strike Team Reports, Part 1*, to the following day.

Proposition 19 Implementation, Part 1 (Mr. Vazquez)

Strike Team Reports

Mr. Vazquez made introductory remarks regarding Strike Team Reports on Proposition 19, *The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act of 2020*.

Legal Analysis of Current Law & Applicable Guidance

Richard Moon, Tax Counsel, Legal Department, presented for discussion legal analysis and guidance to determine necessary/recommended actions and potential challenges associated with implementing the initiative ([Exhibit 1.1](#)).

Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, read into the record written comments from the following individuals.

Sandra ([Exhibit 1.2](#))

Jeff, Real Estate Agent ([Exhibit 1.3](#))

Sharon ([Exhibit 1.4](#))

Carol Murphy, Agricultural/Farming Property Owner ([Exhibit 1.5](#))

Allison Leal Batteate, Alameda County ([Exhibit 1.6](#))

Speakers:

Roberta

Audrey

Peter Kaiser

Robert Spiegel, California Farm Bureau Federation ([Exhibit 1.7](#))

Janice Carey

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Mary Ann Welch, Saratoga, Santa Clara County ([Exhibit 1.8](#))
 Richard Watts
 Trudy L. Grable, Parent, and Homeowner, Santa Clara County ([Exhibit 1.9](#))
 Maryann Nicolas, Parent
 Alexander Sure
 John Bettencourt, Cattle Rancher, East Bay Area
 Lorna Kriss, Parent, and Homeowner
 Esther
 Venessa Chavez, California Association of Realtors
 Tricia Crane, Santa Monica, Los Angeles County
 Olga Cuva, Santa Monica, Los Angeles County

Exhibits to these minutes are incorporated by reference.

Proposed Draft Legislation

Mr. Vazquez made introductory remarks regarding proposed draft legislation.

Speakers: Hon. Ernest J. Dronenburg, Jr., President, California Assessors' Association (CAA); and San Diego County Assessor-Recorder-Clerk ([Exhibit 1.10](#))
 Hon. Jeffrey Prang, Legislative Chair, CAA; and Los Angeles County Assessor Nicole White-Gamble, Director, Assessor's Operations, Los Angeles County Assessor's Office
 Rob Grossglauser, Legislative Advocate, CAA
 Barbara Edginton, Assessment Manager, Transfers, San Luis Obispo County Assessor's Office
 David Yeung, Deputy Director, Property Tax Department, BOE
 Richard Moon, Tax Counsel, Legal Department, BOE

Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, read into the record written comments from the following individuals.

Joanne ([Exhibit 1.11](#))
 James L. Cunningham, Jr., Esq., Certified Specialist, Estate Planning Trust & Probate Law ([Exhibit 1.12](#))
 Kent Meyer, Assessment Counselling Services ([Exhibit 1.13](#))
 Esther Nigenda ([Exhibit 1.14](#))
 Will Becker ([Exhibit 1.15](#))
 Clyde Warren ([Exhibit 1.16](#))
 Carolyn Carradine ([Exhibit 1.17](#))

Speakers: Scott Kaufmann, Howard Jarvis Taxpayers Association
 Mary Ann Welch, Saratoga, Santa Clara County (see [Exhibit 1.8](#))

The Board recessed at 12:55 p.m. and reconvened at 1:07 p.m. with Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers present.

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Collaboration with California State Legislature

Brenda Fleming, Executive Director, made introductory remarks regarding collaborating with the California State Legislature.

Speakers: Hon. Ernest J. Dronenburg, Jr., President, CAA; and San Diego County Assessor-Recorder-Clerk
Mary Ann Welch, Saratoga, Santa Clara County (see [Exhibit 1.8](#))
Peter Kaiser

Proposition 19 and Implementation Planning Matrix

David Yeung, Deputy Director, Property Tax Department, provided an update and analysis on the Proposition 19 Analysis and Implementation Planning Matrix ([Exhibit 1.18](#)).

Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, read into the record written comments from the following individuals.

Eric Saint Georges ([Exhibit 1.19](#))
Albert Batteate ([Exhibit 1.20](#))

Speaker: Mary Ann Welch, Saratoga, Santa Clara County (see [Exhibit 1.8](#))

Implementation of Forms and Processes

Patricia Lumsden, Chief, County-Assessed Properties Division, Property Tax Department, provided a report on implementation of forms and processes.

Speaker: Dia Rudd

Mr. Vazquez provided the Property Tax Department phone number and email address to the public for more information on this matter.

CLOSING

The Board recessed at 1:46 p.m. in recognition of the 53rd birthday of LL Cool J.

The foregoing minutes are adopted by the Board on February 23, 2021.

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The Board met at 10:05 a.m., via teleconference (Governor's Exec. Order No. N 29-20 (March 17, 2020)), with Mr. Vazquez, Chairman, Mr. Schaefer, Vice Chair, Mr. Gaines and Ms. Cohen present, Ms. Stowers present on behalf of Ms. Yee in accordance with Government Code section 7.9.

ANNOUNCEMENTS

Mr. Vazquez provided guidelines for teleconference Member participation. Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, provided guidelines for teleconference invited speakers and public participation.

CHIEF COUNSEL MATTERS: OTHER CHIEF COUNSEL MATTERS

Board Governance, Continued

Henry D. Nanjo, Chief Counsel, made introductory remarks regarding proposed amendments of the Board Members' Governance Policy, Mission Statement, and commitment to strong governance, based on an annual review and subsequent Board discussion ([Exhibit 1.21](#)).

Speakers: Ronald Oertel ([Exhibit 1.22](#))
Mary Ann Welch, Saratoga, Santa Clara County (see [Exhibit 1.8](#))
Peter Weschler, Parent, San Francisco City and County ([Exhibit 1.23](#))

Action: Upon motion of Ms. Stowers, seconded by Mr. Gaines and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board adopted the revised Board Governance Policy with additional changes.

Exhibits to these minutes are incorporated by reference.

ADMINISTRATIVE SESSION

Administrative Matters, Consent

With respect to the Administrative Matters, Consent Agenda, upon a single motion of Mr. Schaefer, seconded by Mr. Gaines and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board made the following orders:

Action: Adopt the following resolution, extending sincere and grateful appreciation to the retiree for his dedicated service to the State Board of Equalization and to the State of California, congratulations on the retiree's well-earned retirement, and best wishes to him and his family for continued success, happiness, and good health in the years to come ([Exhibit 1.24](#)).

Mike Harris, Business Taxes Administrator III, State-Assessed Properties
Division, Property Tax Department

Action: Approve the Board Meeting Minutes of December 16, 2020 and December 17, 2020.

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Executive Director's Report

Brenda Fleming, Executive Director, provided a report regarding the status of pending and upcoming organizational issues.

Lisa Renati, Chief Deputy Director, provided a report on the status of operational priorities and agency projects.

Chief Counsel's Report

Henry D. Nanjo, Chief Counsel, provided a quarterly report on the Legal Department's workload.

Property Tax Deputy Director's Report

David Yeung, Deputy Director, Property Tax Department, provided a report on the status of pending and upcoming projects, activities, and departmental issues.

Legislative, Research & Statistics Division Chief's Report

Lisa Renati, Chief Deputy Director, provided an update on legislative bills impacting the BOE, both administrative and program related.

Taxpayers' Rights Advocate Office's Report

Lisa Thompson, Taxpayers' Rights Advocate, provided an update on activities of the Taxpayers' Rights Advocate Office.

PUBLIC POLICY HEARINGS**Proposition 19 Implementation, Parts 1 and 2 (Mr. Vazquez)*****Board Discussion on Strike Team Reports, Parts 1 and 2***

Mr. Vazquez led a Board Member discussion of the Strike Team Reports for possible actions on the implementation of Proposition 19, *The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire or Natural Disasters Act, of 2020*.

Legislative Actions

Richard Moon, Tax Counsel, Legal Department, provided a summary of the key elements of the statute with regards to the proposed legislative package and statutory provisions.

Speakers: Hon. Ernest J. Dronenburg, Jr., President, California Assessors' Association (CAA); and San Diego County Assessor-Recorder-Clerk
Hon. Jeffrey Prang, Legislative Chair, CAA; and Los Angeles County Assessor

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Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, read into the record written comments from the following individuals.

Anonymous California Taxpayer ([Exhibit 1.25](#))
 Janette, Parent, Saratoga, Santa Clara County ([Exhibit 1.26](#))
 Ronald Oertel (see [Exhibit 1.22](#))
 Janice Marciel, Parent, and Family Farm Owner ([Exhibit 1.27](#))
 Alice Wissing, Santa Barbara, Santa Barbara County ([Exhibit 1.28](#))
 Carol Seto ([Exhibit 1.29](#))
 Allison Leal Batteate, Alameda County ([Exhibit 1.30](#))
 Denise Paddack ([Exhibit 1.31](#))
 Danielle Cohen ([Exhibit 1.32](#))
 John R. Jackson ([Exhibit 1.33](#))
 A. Marie Jackson ([Exhibit 1.34](#))
 Denise Paddack (see [Exhibit 1.31](#))
 Jerry Paddack ([Exhibit 1.35](#))
 Jane Dascalos ([Exhibit 1.36](#))

Speakers: Karim Drissi, Registered Lobbyist, California Association of Realtors
 Allison Leal Batteate, Alameda County (see [Exhibit 1.30](#))
 Ronald Oertel (see [Exhibit 1.22](#))
 Mary Ann Welch, Saratoga, Santa Clara County (see [Exhibit 1.8](#))
 Elizabeth Pope
 Jan Hopping
 Peter Weschler, Parent, San Francisco City and County (see [Exhibit 1.23](#))
 Robert Fanucci, Tax Attorney, Napa Valley
 Laura Maynard, Senior, Bay Area Resident

Action: Upon motion of Mr. Schaefer, seconded by Mr. Vazquez and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board approved the proposed legislation as drafted and attached in the January 14, 2021 Public Agenda Notice, Item M1a(3), *Proposed Draft Legislation*, which includes provisions to implement the parent-child and grandparent-grandchild exclusions, the seniors and severely disabled base year value transfer, and the victims of wildfire and natural disasters base year value transfer; and, to include cover letters from the Executive Director and the CAA and to send the proposed legislation to the Legislature as expeditiously as possible, as recommended by staff.

Guidance and Rulemaking

Mr. Vazquez discussed a letter he and Mr. Schaefer authored to legislative leadership in support of CAA's efforts and the Board-approved draft legislation relative to Proposition 19. The letter addresses the urgency of the action due to the February 16, 2021 and April 1, 2021 effective dates and indicates the sensitivity to County Assessors and taxpayers who are vitally concerned about the implementation of Proposition 19.

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Action: Upon motion of Mr. Vazquez, seconded by Mr. Gaines and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board ordered that the letter described above be submitted to the Members for review, and, absent objection, sent to legislative leadership on behalf of the Board ([Exhibit 1.37](#)).

The Board recessed at 12:58 p.m. and reconvened at 1:59 p.m. with Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers present.

Action: Mr. Schaefer moved to schedule an Informational Hearing on the implementation of Proposition 19 for Wednesday, March 24, 2021, which is the second day of a regularly scheduled meeting. The motion was seconded by Mr. Vazquez. Mr. Schaefer withdrew his motion.

Upon motion of Ms. Stowers, seconded by Mr. Gaines and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board changed the 2021 Board Meeting Calendar by adding Thursday, February 11, 2021, for further discussion and possible action on the implementation of Proposition 19.

Upon motion of Mr. Schaefer, seconded by Mr. Vazquez and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board scheduled an Informational Hearing on the implementation of Proposition 19 for Wednesday, March 24, 2021, which is the second day of a regularly scheduled meeting.

Mr. Vazquez made introductory remarks regarding publication of guidance and initiation of emergency rulemaking for the implementation of Proposition 19.

David Yeung, Deputy Director, Property Tax Department, provided a summary of the recommended plan and process for Letters to Assessors (LTA) and other guidance for the implementation of Proposition 19.

Action: Upon motion of Mr. Schaefer, seconded by Ms. Stowers and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board gave direction through the Executive Director to review existing guidance and to develop new guidance to implement Proposition 19 as expeditiously as possible, in lieu, or until the legislation is passed, as recommended by staff.

Henry D. Nanjo, Chief Counsel, provided a summary of the emergency rulemaking process as it relates to the implementation of Proposition 19.

Speaker: Hon. Ernest J. Dronenburg, Jr., President, CAA; and San Diego County Assessor-Recorder-Clerk

Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, read into the record written comments from the following individuals.

Gordon Gottsche ([Exhibit 1.38](#))

Janet Atkinson ([Exhibit 1.39](#))

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Andrew Creely ([Exhibit 1.40](#))
Gopal Srinath ([Exhibit 1.41](#))
Eric Saint Georges ([Exhibit 1.42](#))
Andrea DeRochi ([Exhibit 1.43](#))
Carolyn Carradine ([Exhibit 1.44](#))
Sharon Harston ([Exhibit 1.45](#))
Steve Guerrero ([Exhibit 1.46](#))
Anthony Rizzotti ([Exhibit 1.47](#))
Peter Weschler, Parent, San Francisco City and County (see [Exhibit 1.23](#))
Susan Lucas, Parent ([Exhibit 1.48](#))
Trudy L. Grable, Parent, and Homeowner, Santa Clara County ([Exhibit 1.49](#))
Kelley Wolf ([Exhibit 1.50](#))
Fran Goodwin ([Exhibit 1.51](#))

Richard Moon, Tax Counsel, Legal Department, provided a summary of the recommended plan and proposed emergency rulemaking for the implementation of Proposition 19.

Action: Upon motion of Mr. Vazquez, seconded by Mr. Gaines and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines, Ms. Cohen and Ms. Stowers voting yes, the Board gave direction through the Executive Director to move forward with the proposed plan for Proposition 19 guidance and emergency rulemaking by reviewing existing guidance and developing guidance to implement Proposition 19 as expeditiously as possible, in lieu or until the legislation is passed, as recommended by staff.

Forms and Processes

Mr. Vazquez made introductory remarks regarding production of temporary forms and processes for the implementation of Proposition 19.

Patricia Lumsden, Chief, County-Assessed Properties Division, Property Tax Department, provided a summary of the recommended plan and process, and availability of, and access to the temporary forms, for the implementation of Proposition 19.

Speaker: Hon. Ernest J. Dronenburg, Jr., President, CAA; and San Diego County Assessor-Recorder-Clerk

Catherine P. Taylor, Chief, Board Proceedings and Support Services Division, read into the record written comments from the following individuals.

Esther ([Exhibit 1.52](#))
Sharon Harston (see [Exhibit 1.45](#))

Speaker: Mary Ann Welch, Saratoga, Santa Clara County (see [Exhibit 1.8](#))

Action: Upon motion of Ms. Stowers, seconded by Mr. Vazquez and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines and Ms. Stowers voting yes, Ms. Cohen absent,

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the Board adopted the expedited forms process as presented under the January 14-15, 2021 Public Agenda Notice, Item M1a(5), *Implementation of Forms and Processes*, by issuing the 12 newly created and amended forms by way of an LTA, after seeking input and approval of the forms from the CAA's Proposition 19 Implementation Ad Hoc Committee and the CAA's Forms Subcommittee; the LTA issuing the forms is anticipated to be released by February 1, 2021, and the forms would then be placed on the Board's Assessor Portal for County Assessors and their staff to access immediately; and sample forms would be placed on the BOE website for informational purposes only for the public; the final forms are anticipated to be presented to the Board for adoption at the May 2021 meeting, as recommended by staff.

Communications Plan: Education and Outreach

Mr. Vazquez introduced Peter Kim, Chief Communications Officer, and Lisa Thompson, Taxpayers' Rights Advocate, who provided a summary of the recommended Proposition 19 communications plan, and information regarding the urgent need for expanded education and outreach.

Mr. Vazquez announced that he will hold a town hall meeting in his district, and that he will participate in the Friday, January 22, 2021 town hall meeting set by Hon. Jeffrey Prang, Legislative Chair, CAA; and Los Angeles County Assessor.

Action: Upon motion of Mr. Schaefer, seconded by Mr. Gaines and unanimously carried, Mr. Vazquez, Mr. Schaefer, Mr. Gaines and Ms. Stowers voting yes, Ms. Cohen absent, the Board adopted the Proposition 19 communications plan on education and outreach, which includes utilizing all electronic and traditional means of communications (website, social media, and other feasible channels available) to disseminate the materials generated by the BOE and Taxpayers' Rights Advocate Office such as the revision of the four existing information sheets, the proposed fact sheet on Proposition 19, and the accompanying PowerPoint presentation to be used for speaking engagements, as recommended by staff.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Mr. Vazquez invited public comment regarding items not on the agenda.

Speaker: Mary Ann Welch, Saratoga, Santa Clara County (see [Exhibit 1.8](#))

CLOSING

Members shared some of their favorite Martin Luther King Jr. quotes and sentiments in honor of his legacy of advancing civil rights and equal justice.

Mr. Vazquez thanked Hon. Ernest J. Dronenburg, Jr., President, CAA, and San Diego County Assessor-Recorder-Clerk; and, Hon. Jeffrey Prang, Legislative Chair, CAA, and Los Angeles County Assessor, for their participation in this meeting.

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The Board adjourned at 3:53 p.m. in honor of the birthday of Martin Luther King Jr.; in memory of Raymond Verches, close friend of Mr. Vazquez and active Public Relations Consultant; and, in memory of those whose lives were lost to the COVID-19 pandemic and to their families and loved ones.

The foregoing minutes are adopted by the Board on February 23, 2021.

Note: The following matters were removed from the calendar prior to the meeting: *Executive Director's Report: Presentation of the Workforce Planning Report*; and, *Board Member Requested Matters: Board Member Initiatives: Bagley-Keene Open Meeting Act 2004 (Mr. Schaefer)*.