

Oakland Unified School District

Board of Education
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DRAFT

AMERICANS WITH DISABILITIES ACT COMPLIANCE

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Minutes (Long)

Tuesday, February 26, 2008

6:00 PM

**Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA
94606**

Measure "B" Independent Citizens' School Facilities Bond Oversight Committee

John Cooke, Chair

Charles Frost, Vice Chair,

Robyn Hodges, Secretary

*Members: Parker Thomas, Jody London, (Vacancy), Brian Marion, David Won,
(Vacancy), Leslie Hamlett and (Vacancy)*

A. Call To Order

Chairperson John Cooke called the meeting to order at 6:12 P.M. Chairperson Cooke, noting a vacancy in the Office of Secretary, asked Leslie Hamlett, to serve as Acting Secretary during the meeting. Ms. Hamlett accepted.

B. Roll Call

Roll Call: Present: Brian Marion, Leslie Hamlett, Oscar Wright, William Ovid, Joseph Debro, Parker Thomas, Jody London and John Cooke
Excused: David Wong

C. Public Comments on All Non-Agenda items Within the Subject Matter Jurisdiction of the Committee

08-0398 Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Committee

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Committee.

There were no public comments on non-agenda items.

D. New Business



08-0402 Orientation for New Committee Members - Committee Bylaws and Committee Charge

Orientation for New Members including review of the Committee Bylaws and Committee Charge pursuant to Resolution No. 0607-0031 of the State Administrator (Board) of the Oakland Unified School District adopted August 31, 2006.

Attachments: [Bylaws of the Measure B Independent Citizens Facilities Bond Oversight Committee.pdf](#)

Meredith Brown, Special Counsel for the Measure B Committee, reviewed the Committee By-laws and Committee Charge pursuant to Resolution No. 0607-0031 adopted in 2006. The voters of Oakland authorized School Facilities Bond Measure B. As required by law, the District established and appointed an Independent Citizens School Facilities Bond Oversight Committee. The purpose of the Committee is to monitor and report to the public regarding the expenditure of school bond funds.

The Committee is composed of 11 members and the term of office is 2 years. Vacancies currently exist due to excessive absences (three consecutive) at regularly scheduled meetings. Every active decision is made by a majority vote of the total membership. Meetings are conducted in accordance of the Brown Act. All site visits are noticed since

gathering of a majority of members is considered a meeting under the Brown Act. Dr. Cooke encouraged members to visit sites. Committee Members can make a site visit as citizens.

The Committee Shall do the Following:

- 1. Inform the public concerning the expenditure of bond revenues.*
- 2. Actively review and report on proper expenditure of taxpayers' money for school construction.*
- 3. Ensure that the bond funds are expended in accordance with the language of the bond.*

The Committee May do the Following:

- 1. Review copies of independent performance and fiscal audits pertaining to the District's bond program.*
- 2. Inspect school facilities and grounds to ensure that bond funds are expended in accordance with the language of the bond.*
- 3. Review deferred maintenance plans of the school district.*
- 4. Review cost saving measures proposed by the school district.*

Bond Language:

Measure B was passed with specific guidelines that restricted project expenditures to those included in a Bond Project List describing the specific projects that the District proposed to authorize with the proceeds of the bonds. The list of projects approved list of Measure B projects school facilities bonds are listed in the Facilities Master Plan adopted by the State Administrator on February 8, 2006. The Bond Project list includes those projects listed in the Facilities Master Plan, which is on file with the Secretary and Executive Assistant to the State Administrator and the Board of Education. The projects include:

- Classroom renovation and repair;*
- Auditorium and multipurpose room renovation and construction;*
- Playground and gymnasium rehabilitation; and*
- Upgrades as well as construction of missing educational facilities such as libraries, media centers, science labs, computer labs, art and music classrooms and vocational shops and laboratories.*

The Bond Project Lists also included Pre-School/Early Childhood Development Center Projects, matching funds for deferred maintenance projects and the repair, rehabilitation and modernization of existing student-based health care service facilities, as well as construction of new student-based health care service facilities.

Discussed and Closed

08-0403 Report - Committee Facilities Site Visits

Report on Facilities site visits by Committee.

Dr. John Cooke, Jody London, Tadashi Nakadegawa, Director of Facilities, visited Madison Middle School, Cox Elementary, and Elmhurst Middle School.

Highlights of Madison included the work to be completed:

- Planned installation of exit corridor for emergency purposes to prevent vandals from entering;*
- Closing the middle yard;*

- Construction of medal pyramid preventing access to the roof;
- Plans to design and install community football field; and
- Convert unused shop to a community Health Center.

Highlights of Elmhurst included the work to be completed:

- Student cafeteria has been painted and dropped natural lighting installed;
- Energy efficient lighting installed;
- The library scheduled for upgrade with brighter energy efficient environment;
- Auditorium scheduled renovations;
- Hallways and restroom lighting will be upgraded and restrooms are scheduled to be upgraded with efficient toilets; and
- The gym is scheduled for upgrade and the restrooms upstairs will be upgraded.

Highlights of Cox included the work to be completed:

- Construction of a new building that will house the charter school currently leasing property from the District.

Jody London asked how the rental fees are determined and why were we making improvements for a charter school?

Timothy White stated Charter schools are District properties leased to the charter schools and any improvements made are to District property,

Another visit was made to Cole, Bunche, and Hoover Schools.

Highlights of Cole included the work to be completed: A planned health center to include a social worker and rotating dental screening.

Bunche houses Alternative Education Programs, Special Day Classes, and a County School. This site consists of all portable classrooms that are 40-50 years.

Hoover had extensive water damage on the floor of the stage and in classrooms; the kitchen area of the cafeteria is getting new flooring.

Processes are already in place for sites to put repairs on line and not wait for a large project to take place.

There was discussion regarding sub-committees. Parker Thomas said there was a conversation about established sub-committees. Dr. John Cooke said that sub-committees had been formed, but after looking at the Bylaws and the Brown Act, the Committee cannot go on site visits unless the visits are agendaized. Edgar Rakestraw, Secretary and Executive Officer, Board of Education, stated after taking a second look at the Bylaws there is no authorization for the creation of sub-committees and the creation of past sub-committees was not proper. There is no discussion of sub-committees in the Education Code. The entire body is charged with oversight. Mr. Thomas said getting everyone on a site visit is difficult.

Mr. Thomas would like for the committee to take a more active role by selecting projects to

focus on and to direct staff. Mr. Rakestraw responded directing staff is not a function of the Measure B Committee. He said issues and concerns committee members may have can be brought to the attention of the Facilities Staff, the Board and the District.

Committee Members may ask staff questions in advance by email and staff will reply by email in advance of committee meetings. Questions should be given to the Chair prior to being given to staff.

Mr. Joseph Debro asked about the Project Labor Agreement and are we getting adequate local training for our youth? The current agreement has a goal of 50% local hiring and 50% local apprenticeship program. The Project Labor Agreement will be presented at a future committee meeting.

Discussed and Closed

08-0401 Establishment of Committee Regular Meeting Schedule - Calendar Year 2008

Adoption by the Committee that it shall hold regular monthly meetings (rather than quarterly meetings) as follows, except for July recess: business meetings on 3rd Tuesday at 6:00 P.M. and facilities site visits on 2nd Friday, at time noticed, for the 12 Month period inclusive, which, upon adoption, shall be immediately noticed and published to the public.

A motion was made by Brian Marion, seconded by Jody London, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 7 - Brian Marion, Leslie Hamlett, Oscar Wright, Joseph Debro, Parker Thomas, Jody London and John Cooke
Nay: 1 - William D. Ovid
Recused: 0
Absent: 1 - David Wong
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



08-0324 Presentation of Proposed State Administration/Board Action for Review of Bond Oversight Committee

Presentation of Proposed State Administration/Board Action for Review by the Bond Oversight Committee for Amendment No. 7 - Twenty-five (25) New Project Budgets, Key Codes and Scope of Work for the Measure B Projects in the amount of \$63,027,741.00.

Funding Source: General Obligation Bond

Attachments: [Document\(s\)](#)
[08-0324 - New Project Budgets - Measure B.pdf](#)

This Legislative File and file no. 08-0325 were discussed concurrently. Timothy White, Assistant Superintendent of Facilities Planning and Management reviewed the proposed budgets and the scopes of work for the 24 new projects which included fire alarm upgrades, CDC replacements, and Health Centers.

Richard Flood a resident of Oakland and a board member of Collaborative for High

Performance Schools (CHPS) gave a presentation. Funded by the Utilities and California Energy Commission to develop best practices and guides for design and construction of schools. The guidelines include:

- *Day lighting improvements*
- *Aquatics*
- *Material selection*
- *Heating and air condition ventilation*
- *Water conservation*

The Committee, by consensus, said it had no objections to the proposed expenditures.

Discussed and Closed



08-0325

Presentation of Proposed State Administrator/Board Action for Review by the Bond Oversight Committee

Presentation of Proposed State Administrator/Board Action for Review by the Bond Oversight Committee Amendment No. 8 - Project Budget Increases for Sixteen (16) Measure B Projects in the amount of \$55,048,292.00.

Funding Source: General Obligation Bond

Attachments: [Document\(s\)](#)
[08-0325 - Project Budget Increases - Measure B.pdf](#)

This Legislative File and file no. 08-0324 were discussed concurrently. Timothy White, Assistant Superintendent of Facilities Planning and Management reviewed the proposed budgets and the scopes of work for the 24 new projects which included fire alarm upgrades, CDC replacements, and Health Centers.

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- *Day lighting improvements*
- *Aquatics*
- *Material selection*
- *Heating and air condition ventilation*
- *Water conservation*

The Committee, by consensus, said it had no objections to the proposed expenditures.

Discussed and Closed

08-0399

Nomination(s) for Committee Secretary

Acceptance of nominations from the membership for the position of Committee Secretary.

Chairperson Cooke opened the floor for nomination(s) for Committee Secretary. Brian Marion and Jody London, both, nominated Parker Thomas for Committee Secretary. Chairperson Cooke, hearing no further nominations, closed the nominations.

Discussed and Closed

08-0400 **Election of Committee Secretary**

Shall Parker Thomas be elected to the position of Committee Secretary?

Parker Thomas, having received at least 6/11 (majority) of the votes required, was elected Committee Secretary.

A motion was made that this matter be Elected. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 8 - Brian Marion, Leslie Hamlett, Oscar Wright, William D. Ovid, Joseph Debro, Parker Thomas, Jody London and John Cooke
Nay: 0
Recused: 0
Absent: 1 - David Wong
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

08-0404 **Nomination(s) for Committee Vice Chair**

Acceptance of nominations from the membership for the position of Committee Vice Chair.

Chairperson Cooke opened the floor for nomination(s) for Committee Secretary. Joseph Debro and Brian Marion, both, nominated Jody London for Committee Vice Chair. Chairperson Cooke, hearing no further nominations, closed the nominations.

Discussed and Closed

08-0405 **Election of Committee Vice Chair**

Shall Jody London be elected to the position of Committee Vice Chair?

Jody London, having received at least 6/11 (majority) of the votes required, was elected Committee Vice Chair.

A motion was made that this matter be Elected. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 8 - Brian Marion, Leslie Hamlett, Oscar Wright, William D. Ovid, Joseph Debro, Parker Thomas, Jody London and John Cooke
Nay: 0
Recused: 0
Absent: 1 - David Wong
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

Roll Call (Secretary's Observation)

Parker Thomas absent from meeting at 9:03 P.M.

Roll Call: Present: Brian Marion, Leslie Hamlett, Oscar Wright, William Ovid, Joseph Debro, Jody London and John Cooke
Absent: David Wong and Parker Thomas

Roll Call (Secretary's Observation)

Jody London absent from meeting at 9:05 P.M.

Roll Call: Present: Brian Marion, Leslie Hamlett, Oscar Wright, William Ovid, Joseph Debro and John Cooke
Absent: David Wong, Parker Thomas and Jody London

E. Adjournment

Chairperson Cooke adjourned the meeting 9:07 P.M.

Prepared By: _____

Approved By: _____