

Oakland Unified School District

Board of Education
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DRAFT



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Minutes (Long)

Tuesday, March 15, 2011

4:30 PM

**Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA
94606-2212**

Facilities Committee

**Noel Gallo, Chairperson
Jody London, Vice Chairperson
Alice Spearman, Member**

A. Call to Order

Chairperson Noel Gallo called the meeting to order at 4:35 P.M.

B. Roll Call

Roll Call: Present: Noel Gallo, Jody London and Alice Spearman

C. Speaker Request Cards/Modification(s) To Agenda

None.

D. Adoption of Committee Minutes



[11-0609](#) Minutes - Facilities Committee - March 1, 2011

Approval by Facilities Committee of Its Minutes of March 1, 2011.

Attachments: [11-0609 - Minutes - Facilities Committee - March 1, 2011](#)

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

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

E. Adoption of the Committee General Consent Report



[11-0508](#) Project Budget, Key Code and Project Number - Santa Fe Paving Replacement Project

Approval by the Board of Education of Resolution 1011-0127 - Authorizing and approving the New Project Budget, Key Code and Project Number for Santa Fe Paving Replacement Project in the amount of \$850,000.00.

Resource Code - 1414-150

Funding Source: Deferred Maintenance**Attachments:** [Document\(s\)](#)**This Matter was Recommended Favorably on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0509****Professional Services Facilities Contract - Anthony Ogbeide Associates, Inc. - Montclair New Classroom Building Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Anthony Ogbeide Associates, Inc., Oakland, CA, for the latter to provide Division of State Architect (DSA) inspection in conjunction with the Montclair New Classroom Building Project for the period commencing April 1, 2011 and concluding no later than December 31, 2013 in an amount not to exceed \$21,120.00.

Resource Code - 2122-143**Funding Source: GO Bond-Measure B****Attachments:** [Document\(s\)](#)**This Matter was Recommended Favorably on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0512****Amendment No. 1 - Professional Services Facilities Contract - Ninyo & Moore - Glenview Lower Yard Paving & Accessible Ramp Project**

Approval by the Board of Education of Amendment No. 1, Professional Services Facilities Contract between District and Ninyo & Moore, Oakland, CA, for the latter to provide special inspections and testing for concrete, masonry units, and reinforcing steel in conjunction with the Glenview Lower Yard Paving & Accessible Ramp Project, in an additional amount not to exceed \$2,000.00, increasing the Contract not to exceed amount from \$10,840.00 to \$12,840.00 and extending the contract period of June 24, 2010 through December 31, 2010 to August 31, 2011. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 1414-119

Funding Source: Deferred Maintenance

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-0516

Change Order No. 1 - Alten Construction - Jefferson New Building Project

Approval by the Board of Education of Change Order No.1 to Construction Contract with Alten Construction, Richmond, CA, for the latter to retrofit board at Administration built-up; diffuser changer per submittal review comments in conjunction with the Jefferson New Building Project in the additional amount of \$50,407.00, increasing the Agreement from a not to exceed amount of \$10,448,475.00 to \$10,498,882.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-128

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[11-0517](#)**Change Order No. 1 - Alten Construction - Montera Middle School Modernization Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Alten Construction, Richmond, CA, for the latter to perform additional Scope of Work described as ASI #8.1 - electrical changes - premium time; RFI #156 - light fixture at Room 101; added step nosing at band Room 101 and various other items described herein in conjunction with the Montera Middle School Modernization Project, in the additional amount of \$20,270.00, increasing the Agreement from not to exceed amount of \$6,578,140.00 to \$6,598,410.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-211

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

[11-0518](#)**Change Order No. 1 - Alten Construction - Montera Fire Alarm Replacement Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Alten Construction, Richmond, CA, for the latter remove from the Scope of Work, RFI #62- move fire alarm panel; RFI #31 - delete nine (9) Fire Alarm Strobes in girl's locker room; ASI #10 - delete heat detectors above practice room in Building 100 and various other items described herein in conjunction with the Montera Fire Alarm Replacement Project, reducing the amount by \$2,956.00, decreasing the Agreement from a not to exceed amount of \$714,300.00 to \$711,344.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-211

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0

Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-0519 Change Order No. 1 - Bay Construction - District-wide Playground Inspection Project

Approval by the Board of Education of Change Order No. 1 to Construction Contract with Bay Construction, Oakland, CA, for the latter to install a new play structure for Burbank Explore Pre-School; replacement of tile matting with new POP rubberized surfacing and the repair of the existing play structure at Prescott Elementary School; credit for the balance of the unused funds from the Allowance Account in conjunction with the District-wide Playground Inspection Project, in the additional amount of \$68,420.98, increasing the Agreement from a not to exceed amount of \$703,000.00 to \$771,420.98. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-918

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



11-0520 Change Order No. 9 - Cal Pacific Construction - Lincoln Elementary School Classroom Replacement Project

Approval by the Board of Education of Change Order No. 9 to Construction Contract with Cal Pacific Construction, Pacifica, CA, for the latter to delete gypsum wallboard on underside of roof framing and add vents; install additional holdowns and steel brackets and various other items described herein in conjunction with the Lincoln Elementary School Classroom Replacement Project in the amount of \$58,534.92, increasing the Agreement from a not to exceed amount of \$6,721,233.90 to \$6,779,768.82. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-133

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0

Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0521****Change Order No. 8 - Cal Pacific Construction - Lincoln Elementary School Classroom Replacement Project**

Approval by the Board of Education of Change Order No. 8 to Construction Contract with Cal Pacific Construction, Pacifica, CA, for the latter to provide existing asphalt repair, change aluminum perforated panel thickness; addition of conduit and cable for intrusion key pad in kitchen and various other items described herein in conjunction with the Lincoln Elementary School Classroom Replacement Project in the additional amount of \$47,432.48, increasing the Agreement from a not to exceed amount of \$6,673,801.42 to \$6,721,233.90. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-133

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0523****Change Order No. 1 - West Bay Builders, Inc. - Cox New Classroom Building Project**

Approval by the Board of Education of Change Order No. 1 to Construction Contract with West Bay Builders, Inc., Novato, CA, for the latter to add T&G Redwood in lieu of GSM at sawtooth rake edge soffit; change stucco finish coat to colored dryvit finish and various other items described herein in conjunction with the Cox New Classroom Building Project, in the additional amount of \$58,659.00, increasing the Agreement from a not to exceed amount of \$11,395,000.00 to \$11,453,659.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 3 - Noel Gallo, Jody London and Alice Spearman
 Nay: 0
 Recused: 0
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-0525

Change Order No. 2 - West Bay Builders, Inc. - Cox New Classroom Building Project

Approval by the Board of Education of Change Order No. 2 to Construction Contract with West Bay Builders, Inc., Novato, CA, for the latter to perform additional Scope of Work described as (64) RFI #207 - install switches at Type - C lights; (65) RFI #196 - provide emergency lights at stage; (66R2) relocate portables 53 and 54 to the Skyline site and Elmhurst site and various other items described herein in conjunction with the Cox New Classroom Building Project, in the additional amount of \$124,264.00, increasing the Agreement not to exceed amount from \$11,453,659.00 to \$11,577,923.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: Go Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 3 - Noel Gallo, Jody London and Alice Spearman
 Nay: 0
 Recused: 0
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-0527

Change Order No. 3 - West Bay Builders, Inc. - Cox New Classroom Building Project

Approval by the Board of Education of Change Order No. 3 to Construction Contract with West Bay Builders, Inc., Novato, CA, for the latter to perform additional Scope of Work described as (99) Asi #35 - wireless hardware upgrade; (107) RFI #387 - demo (e) footing at Building B; (108) RFI #378 - re-route of (e) electrical feed to Building D and various other items described herein in conjunction with the Cox New Classroom Building Project, in the additional amount of \$32,455.00, increasing the Agreement from a not to exceed amount of \$11,577,923.00 to \$11,610,378.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: GO Bond-Measure B**Attachments:** [Document\(s\)](#)**This Matter was Recommended Favorably on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0528****Change Order No. 4 - West Bay Builders, Inc. - Cox New Classroom Building Project**

Approval by the Board of Education of Change Order No. 4 to Construction Contract with West Bay Builders, Inc., Novato, CA, for the latter to perform additional Scope of Work described as (99) Asi #35 - wireless hardware upgrade; (107) RFI #387 - demo (e) footing at Building B; (108) RFI #378 - re-route of (e) electrical feed to Building D and various other items described herein in conjunction with the Cox New Classroom Building Project, in the additional amount of \$96,969.00, increasing the Agreement from a not to exceed amount of \$11,610,378.00 to \$11,707,347.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110**Funding Source: GO Bond-Measure B****Attachments:** [Document\(s\)](#)**This Matter was Recommended Favorably on the Consent Agenda.**

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0529****Change Order No. 5 - West Bay Builders, Inc. - Cox New Classroom Building Project**

Approval by the Board of Education of Change Order No. 5 to Construction Contract with West Bay Builders, Inc., Novato, CA, for the latter to perform additional Scope of Work described as (6) Asi #3R1-food servery changes due to Health Department Review; (131) Lime Treatment to Achieve Soil Compaction; (106) RFI #391 - Add concrete curb at resilient paving and various other items described herein in conjunction with the Cox New Classroom Building Project, in the additional amount of \$124,231.00, increasing the Agreement not to exceed amount from \$11,707,347.00 to \$11,831,578.00. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 3 - Noel Gallo, Jody London and Alice Spearman
 Nay: 0
 Recused: 0
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-0530

Amendment No. 2 - Professional Services Facilities Contract - Professional Service Industries (PSI) - Montclair New Classroom Building Project

Approval by the Board of Education of Amendment No. 2, Professional Services Facilities Contract between District and Professional Service Industries (PSI), Oakland, CA, for the latter to perform slope evaluation, analyze soil conditions and geotechnical properties of the subsurface below the asphalt-surfaced slope in conjunction with the Montclair New Classroom Building Project, in an additional amount not to exceed \$2,470.00, increasing the Contract not to exceed amount from \$13,139.00 to \$15,009.00 and extending the contract period of February 3, 2010 to November 24, 2010 to December 31, 2012. All other terms and conditions of the Contract remain in full force and effect.

Resource Code - 2122-143

Funding Source: GO Bond-Measure B

Attachments: [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 3 - Noel Gallo, Jody London and Alice Spearman
 Nay: 0
 Recused: 0
 Preferential Aye: 0
 Preferential Abstention: 0

Preferential Nay: 0

Passed The Committee General Consent Report

A motion was made by Jody London, seconded by Alice Spearman, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

F. Unfinished Business

None.

G. New Business



[11-0588](#)

Proposition 39 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - Bay Area Technology School

Adoption of Board of Education of Resolution 1011-1038 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - Bay Area School of Technology - Pursuant to Requirements of Proposition 39.

Attachments: [Document\(s\)](#)
[11-0588 -Proposition 39 - 2011-2012 School Year Offer\(s\) of District Facilities to Charter School\(s\) - Bay Area Technology School.pdf](#)

A motion was made by Alice Spearman, seconded by Noel Gallo, that this matter be Recommended Favorably. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0592****Proposition 39 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - LPS College Park**

Adoption of Board of Education of Resolution 1011-0139 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - LPS College Park - Pursuant to Requirements of Proposition 39.

Attachments: [Document\(s\)](#)
[11-0592 - Proposition 39 - 2011-2012 School Year Offer\(s\) of District Facilities to Charter School\(s\) - LPS College Park.pdf](#)

A motion was made by Alice Spearman, seconded by Noel Gallo, that this matter be Recommended Favorably. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0593****Proposition 39 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - Vincent Academy**

Adoption of Board of Education Resolution 1011-0140 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - Vincent Academy - Pursuant to Requirements of Proposition 39.

Attachments: [Document\(s\)](#)
[11-0593 - Proposition 39 - 2011-2012 School Year Offer\(s\) of District Facilities to Charter School\(s\) - Vincent Academy.pdf](#)

A motion was made by Alice Spearman, seconded by Noel Gallo, that this matter be Recommended Favorably. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**11-0594****Proposition 39 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - Community School for Creative Education**

Adoption of Board of Education Resolution 1011-0141 - 2011-2012 School Year Offer(s) of District Facilities to Charter School(s) - Community School for Creative Education - Pursuant to Requirements of Proposition 39 with the staff to continue to work with petitioners for up to 30 days to finding a suitable location w/i the San Antonio- Fruitvale Area or other location.

Attachments: [Document\(s\)](#)
[11-0594 - Proposition 39 - 2011-2012 School Year Offer\(s\) of District Facilities to Charter School\(s\) - Community School for Creative Education.pdf](#)

Committee Member Comments

Director Spearman wanted to know what were the issues regarding the offer of Howard Elementary School to Community School for Creative Education.

Chairperson Gallo said there is a Prop 39 request from Community School for Creative Education but the families live the San Antonio/Fruitvale area which is quite a way for the parents to get to. He said the parents are requesting the District make other efforts to find another school. He said originally Garfield and Roosevelt were discussed as a possibility. Staff did some research and communicated with the principals of both schools. Roosevelt's population has increased and Garfield has expanded its classroom space use. The other recommendation that is being presented for research is the old Life Academy Building located at 2111 International Boulevard.

Director Spearman said the old Life Academy Building is not safe for students.

Chairperson Gallo said under Prop 39 in terms of access to space, there are different requirements. Chairperson Gallo requested the Quality Community Schools Development staff give their report.

Staff Report - Quality Community School Development

David Montes de Oca, Executive Director, Quality Community School Development, said the Charter School Office has a recommendation for a facilities offer at Howard Elementary School. He said Roosevelt Middle School and Garfield Elementary School were discussed and both sites were determined not to be available. The Superintendent has not recommended relocating the Family and Community Office that currently occupies the old Life Academy Building at 2111 International Boulevard. He said from the research that has been done, the building seems to be fairly utilized in terms of the spaces for various District central services. He said there are flexibilities around charter school use of Non-field Act approved facilities when they are not District properties. The local building code has regulations that defines if charter schools can occupy facilities that are not Field Act approved. Since the District is the holder of the old Life Academy facility, there may be differing standards of expectations of what the District allows for student occupancy even if it is a charter school. He said additional research will have to be done on the old Life Academy Building to determine if there will be any issues with offering a space that may or may not be Field Act approved.

Director Spearman wanted to know if there were any other spaces available other than Howard Elementary School.

Mr. Montes de Oca said right now the research does not indicate there is available space with the grade level served for these students. He said there is high school space

considerations that can be considered and researched. For the elementary school proposed to be served, there isn't additional elementary space that will be available for use. He said considering the District expects growth, it has to consider the school will continue to pursue Prop 39 occupancy beyond this year. He said in this case, the District has tried to consider space that will be amendable to some additional growth before having to force reconsideration for District programs or the charter school programs to be relocated. Howard Elementary provides the greatest viability for current space availability with minimal impact on the existing program and some growth opportunity so that the District can allow for an expectation that this school will continue occupancy beyond the coming year.

Director Spearman wanted to know had it been taken into consideration the growth of the public in the area.

Mr. Montes de Oca said the use that would be available between the charter school and the District school now will allow for some growth between both schools over the next two school years serving both schools given the projected enrollment increase/decrease.

Public Comments

Velia Navarro, Parent, said it is hard for the families in the San Antonio area to go up to Howard School. She said the parents would like for the District to find a school around the San Antonio area that is not too far away for the parents. She said transportation to the school is not good. She said Howard School is trying to survive itself because of transportation issues. She said some parents have cars, but a large percentage do not. She asked that the Board consider another site.

Maria Flores, Parent, said half of the parents don't have the transportation to get to Howard School. She said she hopes the Board takes that into consideration.

Constunza Rodriguez, Parent, said she doesn't want the added the stress of being on the freeway for more than 20 minutes a day to get her child to school in a neighborhood that is not her own. She said she just wants to enjoy the school and to be close to home.

Janea Riddiough, Parent, said she has been working on the Community School for Creative Education for about one year. She said she has put her heart into the San Antonio Area where the majority of the families are from. She said she hopes there are other options for the school to be in the San Antonio area. She said Howard School is a long way for the parents to get to.

Claudia Hung-Haas, Parent, said Howard is a beautiful school site but it is hard for other children who may attend. She said she would appreciate the Board considering another site for the school to be located in, the San Antonio Neighborhood if possible.

Shirley Priestley, Resident of the Howard School Community, said she was forced to purchase a car because she was concerned about her daughter riding the bus to get to school. She said the transportation is scarce in the area. She said parent involvement is key and if the parents don't have transportation to get to Howard, that will eliminate parent participation.

Aida Salazar, Parent, said she wanted to speak about the unique quality of the Community

School for Creative Education. She said the San Antonio Community is disenfranchised and the Options in the District are closing. She said parents who want a creative education for their children are looking for alternatives and this school is one of the choices. She said these schools exist in upper class neighborhoods all over the country and this is an opportunity for this disenfranchised community to receive a creative education.

Chairperson Gallo said although the Committee will entertain a motion today for the Prop 39 request for Howard School, the search for a school site can continue beyond Oakland Public Schools facilities when looking for other sites in the San Antonio/Fruitvale area. Chairperson Gallo said he attended some of the classes the school provided to students last summer. He said knowing the families in the neighborhood, the District should reach out to provide a service. He said he is willing to work within the District and with the City of Oakland to identify a location in the San Antonio/Fruitvale area. He said his recommendation will be to approve the request today and continue to look in the area for a facility.

Director Spearman wanted to know since this is a new charter school which has not yet opened, why haven't they looked for other places rather than taking space from the District. She said they are able to rent a building.

Chairperson Gallo asked a representative from Community School for Creative Education to respond to Director Spearman's question.

RH Jones, Head of the Facilities Search, Community School for Creative Education, said there has been a three year search for a facility. He said he has been a part of the facility search for two years. The school has looked extensively in the San Antonio Area in both the public and through the Prop 39. He said the school is soliciting the District for unused school property. He noted that charter schools are public schools and Prop 39 request it is not taking property away from the District, it is unused facility space within the District. He said he wanted to commend David Montes de Oca, Gail Greely, Director Gallo and the rest of the Facilities Committee for the hard work that has been done to help the school find a location within the San Antonio area. He said the school has its charter petition, has built an enrollment that is full, and the school is ready to open in August. He said the Facility Search Committee will continue as a standing committee because the school will grow one grade each year. He said Prop 39 affords the school a greater opportunity to locate the school. He said many of the private properties they searched are not seismically ready for public schools.

Vice President London said she is not excited about assigning the St. Vincent Day Home at Santa Fe Elementary. She said one of the questions she asked Ms. Greely was why the District was putting programs together that are in direct competition with one another. She said she is troubled by that trend.

Director Spearman said she thinks until the Board approves the Asset Management Plan, the Board doesn't know what spaces are available.

Vice President London wanted to know what was the District's theory of putting programs that are drawing from the same customer pool.

Mr. Montes de Oca said there is not a solicitation process for the request for facilities. He

said the request comes at the purview of the requesting school. He said the review of the options incorporates the fact that the District is expected to consider the proposed location that the school would like to serve as well. He said the District is supposed to provide equivalent space under the law. He said because the District provides elementary buildings for elementary students and secondary buildings for secondary students, the District is required to consider that when making a facility offer. He said in these cases, both are naming that they are serving a targeted population that is not in the neighborhood of the locations they have been provided. He said had the District found space that was commiserate to what they have requested in other areas, it would be a higher degree of competition. He said the school is arguing in favor of not utilizing the facilities due to the fact the location is in a neighborhood that's in a neighborhood where they are intending to serve students. He said the District did not locate the school at Howard Elementary in an effort to try to avoid the competitive nature of co-location. He said it was in part because of the space availability the District was seeking to find and the impact on both District and charter school programs.

A motion was made by Alice Spearman, seconded by Noel Gallo, that this matter be Recommended Favorably. The motion carried by the following vote:

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0
 Aye: 2 - Noel Gallo and Jody London
 Nay: 1 - Alice Spearman
 Recused: 0
 Preferential Aye: 0
 Preferential Abstention: 0
 Preferential Nay: 0



11-0660

Lease Leaseback Construction Delivery for the Downtown Educational Complex - Phase I - Increment II Facilities Project

Approval by the Board of Education of Lease Leaseback Method of Construction Delivery for and authorizing the execution of Site Lease Agreement, Facilities Lease Agreement and Other Acts Relating to the Construction of The Downtown Educational Complex/Phase I - Increment II, 1050 Second Avenue, Oakland, CA, Facility Project.

Attachments: [Document\(s\)](#)
[11-0660 - Lease Leaseback Construction Delivery for The Downtown Educational Complex - Phase I - Increment II Facilities Project .pdf](#)

Mr. White said the Downtown Educational Complex has been long anticipated and the District has invested a lot of years in the project. He said the District has completed the design and the approval process and he wants to bring the approval of the ground breaking for La Escuelita School. He said the District will build one of the most innovative structures the City has seen.

A motion was made by Jody London, seconded by Noel Gallo, that this matter be Recommended Favorably. The motion carried by the following vote:

Votes: Adv Aye: 0
 Adv Nay: 0
 Adv Abstain: 0

Aye: 3 - Noel Gallo, Jody London and Alice Spearman
Nay: 0
Recused: 0
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

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

None.

I. Superintendent of Schools or Designee's Committee Liaison Report

Mr. White said he is excited about the Downtown Educational Complex Project. He said the project will be something everyone will be proud of and the facility will serve the community for many years.

He said the District needs to consider what the next steps are in terms of bonding. He said if one of the charges that will lead to fiscal health is returning enrollment and the citizens of Oakland to the schools, the improvement of facilities matched with quality teaching and instruction cannot be underestimated. He said he would encourage Committee Members who campaigned on previous bond initiatives to continue to support the capital program.

Vice President London suggested Mr. White coordinate with the Superintendent. She said there needs to be thoughtful conversation if the District goes out for another parcel tax, renew the General Obligation Bond, or try to do both. She said she has been approached by people who want to talk about a joint sales tax with the City of Oakland. She said the District needs to be in control driving the process around what the Board wants to do.

J. Introduction of New Legislative Matter

Chairperson Gallo said for the next Facilities Committee Meeting he would like to discuss Board Policy regarding the Renaming of Facilities. He said currently the project is called the Downtown Educational Complex and he said the District would like to recognize the Asian Community in the neighborhood. He said he would like to entertain recommendations from the students for possible names for the school and have this committee review and make some recommendations to the Board to possibly name the Downtown Educational Complex.



[11-0689](#)

Report - Board Policy 7310 - Naming of Facility - Downtown Educational Complex

A discussion by the Facilities Committee regarding Board Policy 7310 - Naming of Facility in relation to the Downtown Educational Complex.

Attachments: [Document\(s\)](#)

K. Adjournment

Chairperson Gallo adjourned the meeting at 5:08 P.M.

Prepared By: _____

Approved By: _____