

Oakland Unified School District

Board of Education
Paul Robeson Building
1025 2nd Avenue, Suite 320
Oakland, CA 94606-2212
(510) 879-8199 Voice
(510) 879-8000 Fax



ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

Agenda and agenda materials, if any, associated with this meeting are accessible on the Board of Education's World Wide Web Site at <http://webportal.ousd.k12.ca.us> or from any computer terminal in the Office of the Board of Education at the above-stated address.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

Individuals requiring a reasonable accommodation to participate in meetings other than handicapped access, should notify the Office of the Board of Education seventy-two (72) hours prior to the meeting at either (510) 879-8678 (VM); or boe@ousd.k12.ca.us (E-Mail); or (510) 879-8739 (TTY/TDD); or (510) 879-8000 (Fax).

Minutes (Long)

Tuesday, September 14, 2010

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 4:34 P.M.

B. Roll Call

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

C. Modification(s) To Agenda

None.

D. Adoption of Committee Minutes



[10-2250](#) Minutes - Facilities Committee - August 31, 2010

Approval by Facilities Committee of Its Minutes of August 31, 2010.

Attachments: [10-2250 - Minutes - Facilities Committee - August 31, 2010](#)

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

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

E. Adoption of the Committee General Consent Report



[10-2217](#) Professional Services Facilities Contract - Applied Materials & Engineering, Inc. - Life Academy Renovation/Seismic Retrofit Project

Approval by the Board of Education of Professional Services Facilities Contract between District and Applied Materials & Engineering, Inc., Oakland, CA, for the latter to provide independent agency (vendor) structural verification on the Life Academy Rehabilitation Project, as required by the Division of State Architect (DSA), to confirm that the existing building was constructed as designed; testing and inspecting fourteen (14) conditions in six (6) zones, pursuant to Scope of Work, incorporated herein by reference as though fully set forth, with the attached proposal incorporated into the Contract to the extent that it is subordinate to and not inconsistent with the contract terms, in conjunction with the Life Academy Renovation/Seismic Retrofit Project, for the period commencing September 23, 2010 and concluding no later than December 12, 2010, in an amount not to exceed \$121,160.00.

Resource Code - 2122-335

Funding Source: General Obligation Bond-Measure B

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

Chairperson Gallo asked Mr. White if the District was still proceeding with the relocation Life Academy School back to the original site considering the District has an Asset Management Plan and we may have facility space.

Mr. White said we do have some spaces available that are distributed across the District. We have proceeded with the work that has been approved and authorized by the Board to look into the renovations necessary to make 2111 International Boulevard Field Act Compliant and we have not stopped those renovations. Our goal is to concurrently continue to look at other available spaces, engage that community and school site and options that may be available for them. At the same time, continue to pursue the renovations necessary to make 2111 International Boulevard Field Act Compliant through the design process. He said hopefully by then, we can come to some firm footing where a decision is made in terms of where they will be ultimately housed, whether or not to proceed and do the construction renovations required to make that space Field Act Compliant or to house them at an available space.

This Matter was Recommended Favorably on the Consent Agenda.

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



10-2218

**Professional Services Facilities Contract - Jason Zalinski - Redwood Heights
Fire Alarm Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Jason Zalinski, Oakland, CA, for the latter to provide Division of State Architect Inspection in conjunction with the Redwood Heights Fire Alarm Replacement Project for the period commencing September 23, 2010 and concluding no later than December 31, 2011 in an amount not to exceed \$24,030.00.

Resource Code - 2122-148

Funding Source: General Obligation 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: 2 - Jody London and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Alice Spearman
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



10-2219

Professional Services Facilities Contract - KDI Consultants, Inc. - Life Academy Renovation/Seismic Retrofit Project

Approval by the Board of Education of Professional Services Facilities Contract between District and KDI Consultants, Inc., Oakland, CA, for the latter to provide Division of State Architect Inspection Services in conjunction with the Life Academy Renovation/Seismic Retrofit Project for the period commencing September 23, 2010 and concluding no later than November 12, 2010 in an amount not to exceed \$30,780.00.

Resource Code - 2122-335

Funding Source: General Obligation 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: 2 - Jody London and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Alice Spearman
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



10-2220

Amendment No. 1 - Professional Services Agreement - Jason Zalinski - Cox

New Classroom Building Project

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and Jason Zalinski, Oakland, CA, for the latter to provide additional Division of State Architect (DSA) inspection services in conjunction with the Cox New Classroom Building Project in an additional amount not to exceed \$36,000.00, increasing the Agreement from a not-to-exceed amount of \$262,800.00 to \$298,800.00, and extending the original contract period of November 7, 2008 to December 31, 2010 through December 31, 2011. All other terms and conditions of the Agreement remain in full force and effect.

Resource Code - 2122-110

Funding Source: General Obligation 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: 2 - Jody London and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Alice Spearman
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**10-2226****Professional Services Facilities Contract - Jensen-Van Lienden Associates, Inc. - Life Academy Renovation/Seismic Retrofit Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Jensen-Van Lienden Associates, Inc., Berkeley, CA, for the latter to provide complete geological hazards report and geotechnical study, pursuant to Scope of Work, incorporated herein by reference as though fully set forth, in conjunction with the Life Academy Renovation/Seismic Retrofit Project for the period commencing September 23, 2010 and concluding no later than December 31, 2010 in an amount not to exceed \$5,500.00.

Resource Code - 2122-335

Funding Source: General Obligation 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: 2 - Jody London and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Alice Spearman

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

**10-2228****Professional Services Facilities Contract - Simplex Grinnell - Redwood Heights Fire Alarm Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Simplex Grinnell, Livermore, CA, for the latter to provide electrical contractor and/or low-voltage installer of the fire alarm system during the critical path periods, with the attached proposal incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms in conjunction with the Redwood Heights Fire Alarm Replacement Project for the period commencing September 23, 2010 and concluding no later than December 31, 2011 in an amount not to exceed \$9,720.00.

Resource Code - 2122-148

Funding Source: General Obligation 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: 2 - Jody London and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Alice Spearman
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**10-2230****Professional Services Facilities Contract - Simplex Grinnell - Roosevelt Fire Alarm Replacement Project**

Approval by the Board of Education of Professional Services Facilities Contract between District and Simplex Grinnell, Livermore, CA, for the latter to provide supervision to the electrical contractor and/or low-voltage installer of the fire alarm system during the critical path periods, as described in the Scope of Work, incorporated herein by reference as though fully set forth, in conjunction with the Roosevelt Fire Alarm Replacement Project for the period commencing October 1, 2010 and concluding no later than December 31, 2011 in an amount not to exceed \$9,720.00.

Resource Code - 2122-212

Funding Source: General Obligation 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: 2 - Jody London and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Alice Spearman
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

**10-2245****Right of Entry Agreement - District and East Bay Alliance Church - Edna Brewer Middle School**

Approval by the Board of Education of Right of Entry Agreement Between District and East Bay Alliance Church ("EAC"), with the latter allowing the use of the Church Property's parking lot as a staging area for parents and guardians picking up their school children from Edna Brewer Middle School at the end of the school day, pursuant to terms and conditions stated herein, at no cost to the District.

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

This Matter was Recommended Favorably on the Consent Agenda.

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

Passed The Committee General Consent Report

A motion was made by Jody London, seconded by Noel Gallo, 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: 2 - Jody London and Noel Gallo
Nay: 0
Recused: 0
Absent: 1 - Alice Spearman
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

F. Unfinished Business



[10-2154](#) Implementation of Construction Contractor Bonding Assistance Program

Adoption by Board of Education of Resolution No. 1011-0023 - Implementation of Construction Contractor Bonding Assistance Program.

Attachments: [Document\(s\)](#)
[10-2154 - Implementation of Construction Contractor Bonding Assistance Program.pdf](#)
[10-2154 - Bond Assistance Program.pdf](#)

Chairperson Gallo said this item has been Tabled. He said the City of Oakland pursued the same activity and they chose not to go in that direction.

Mr. White asked for clarification on when an item is Tabled, what happens to the item in terms of its life. Is the item dead or at some point will the item return to the committee?

Secretary Rakestraw said Tabled Indefinitely usually kills the item. Tabled to a Time Certain allows staff to bring the item back. He said Board Staff will activate the item if the Chairperson or committee authorizes it at some future date.

Chairperson Gallo said that is the ultimate goal. He said the Board is extremely sensitive when it comes to local minority representation. He said the responses he gets from the public on a daily basis is when he takes an action he has to act like it is the money he has in his pocket that he is spending. He said last year we had to make great efforts to maintain some carpenters and custodians knowing that the future of Measure "B" funding is very limited. He said the money has been called for and this coming year will be challenging. He said we need to be able to save every nickel and dime to make sure the water faucets continue to operate at all times and at the same time if we are able to keep those in our current work force employed, that should be our priority. He said any other outside fund may be a lovable program or cause and politically the right thing to do. He said the Board made a serious commitment to the public in terms of what the Measure "B" dollars would be used for. He said he asked Facilities Staff to define what the \$5 million dollars for consultants are being used for in addition to the other amount. He said that is the reason for Tabling the item.

General Counsel Minor clarified that the District's program is a Local Emerging Business Program, not a Minority Vendor Program, that was the old program that existed prior to Prop 209. She said the District's program is a Local Vendor Program regardless of ethnicity provided they meet the local requirement.

Tabled

G. New Business



[10-2150](#) Notice of Public Meeting/Hearing and Intent to Adopt a Mitigated Negative Declaration for the Downtown Educational Complex Project, Et Seq.

Conduct a Public Hearing* and Adoption by the Board of Education of a Final Mitigated Negative Declaration for the Downtown Educational Complex Project.

*Regular Meeting, Board of Education, September 22, 2010

Attachments: [Document\(s\)](#)
[Notice of Public Meeting/Hearing and Intent to Adopt a Mitigated Negative Declaration for the Downtown Educational Complex Project.pdf](#)

Mr. White said this item is associated with the Downtown Educational Complex project across the street. It is part of the Department of Toxic Substance and Control (DTSC) Sequel Process that looks at and has oversight of all environmental conditions associated with school district's projects. He said even though the new school is being built on property that was previously occupied by a school, some portions of the property were administrative. Originally we filed for a negative declaration, meaning no environmental impact at all. At that point we voluntarily entered into an agreement with DTSC for the Sequel Process and that process found we did have some soil contamination typically associated with arsenic and some oil. We did come up with mitigation strategies approved by the DTSC and that is in process now. As a requirement of the Sequel Process we are required to have a Public Hearing.

Secretary Rakestraw said this is not the Public Hearing, this is an informational item. The Public Hearing will be held at the Board Meeting on September 22nd. He said, however, it does not keep the committee from discussing the matter.

Director London asked what are the activities we are doing for mitigation?

Mr. White said the activity was soil remediation in several areas on the property where samples of the boring were taken and the soil had to be remediated and the soil was removed.

Director London asked if we will test again after the soil removal.

Mr. White said "Yes".

Secretary Rakestraw asked the committee to refer the matter to the Board for a hearing.

Director London made a motion to move the item to the Board for a hearing.

Chairperson Gallo seconded the motion.

A motion was made by Jody London, seconded by Noel Gallo, that this matter be Referred to the Board of Education. The motion carried by the following vote:

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

Preferential Abstention: 0
Preferential Nay: 0

10-2291 Status Report - Staff Parking Issues - Various Sites

Presentation of a status report on resolution of staff parking issues at Claremont Middle School, Lincoln Elementary School and other sites, if any.

Mr. White said this was an issue raised by Director London and contributed to a Resolution by Director London and Chairperson Gallo as it relates to Lincoln Elementary, Claremont Middle School and most recently Edna Brewer Middle School. Sam Pasarow, Principal, addressed the parking concerns at the last Facilities Committee Meeting. He said Chairperson Gallo will provide an update on the Claremont parking issues. Lincoln Elementary parking issues have been addressed for the next calendar year. He said they did engage with the Principal and a vendor to provide parking for another year under a lease. He said after the lease expires, we may have to look at some extension of the lease.

Chairperson Gallo said the Claremont parking issue will be placed on the City Council Meeting Agenda for action.

Director London said she would like the date of the meeting so that she can attend.

Chairperson Gallo said City Council Members have been on recess and they are due back at the end of this month and this item will be presented.

Director London said she would like to notify the school site of the date for the meeting. She said the same parents who spoke before this committee will want to speak before the City Council to talk about the parking issues.

Discussed

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

No Speaker Cards submitted.

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

[Mr. White announced the funeral services for Michael Moore's wife were tonight at 7:00 P.M.]

Chairperson Gallo asked Mr. White to share with the committee about the opening day of school and any issues that occurred where he may need some support.

Mr. White said this year the District had an opening of school that has been reflected on quite heavily throughout the Leadership of the District, the Superintendent's Office and his Leadership Group as well. He said the prevailing sentiment is that it was one of the best openings of school the District has had in several years. He said notwithstanding, there

are still aspirations that we have for a much better, through and effective planning process throughout the year. He said as we embark upon the Board's newly adopted Strategic Plan of Community Schools and a full service Community School District, the greatest lessons learned over the summer is how to institutionalize it and long term planning and practices that take place throughout the year. He said in terms of the Superintendent's calendar and the Facilities Division reporting to the two Deputy Superintendents, that is being looked at to modify it and to make sure it is effective as possible following those practices necessary to ensure we have a successful opening of school next year. He said between now and then, we are going to be as diligent as possible making sure we keep our eyes on all those different elements and details associated with being good, not just Construction but Instruction.

J. Introduction of New Legislative Matter

Director London asked Mr. White if they have on the agenda for this committee to look at how the work of this committee ties into the Strategic Plan? She said there was a presentation of several Task Forces that Deputy Superintendent Santos is convening in her area and Director London asked at a future date, if Mr. White could give the committee a briefing how his work and the work of this committee will tie into the Strategic Plan.

Mr. White said there are ten different initiatives. The initiative most associated with this committee is number ten which talks about the regionalization of the entire school district. He said looking at those things associated with that are part of the focus of Asset Management review, looking at different attendance areas, not necessary the boundaries, making sure we are performing some deep analysis to determine what is the right size school district for us to have in the District considering the number of citizens and the actual student enrollment that we have. He said it will be a deep dive that looks at enrollment capacity, school sites assets and inventories in each one of those areas. He said it would be great to make sure we keep that in front of the committee as we move forward.

Director London said in addition to the actual content, she said she did not know if we need to be thinking about how to re-organize the Operational Expectations of Board Policies and if they need re-alignment to meet any changes that may come into play. She urged the committee to think about the administration side as well as the operational side.

10-2381 Strategic Plan - Overview - Facilities Planning

Presentation by the Assistant Superintendent for Facilities Planning & Management of a detailed overview of the areas of Facilities Planning of the Board adopted Strategic Plan including enrollment capacity, school site assets and inventories.

K. Adjournment

Chairperson Gallo adjourned the meeting at 4:56 P.M.

Prepared By: _____

Approved By: _____