

# Oakland Unified School District

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## **Meeting Minutes Long - Final**

**Wednesday, June 3, 2015**

**6:15 PM**

**KDOL TV Studio, B-237, Met West High School Entrance, 314 East 10th Street,  
Oakland, CA 94606-2291**

## **Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee**

*Renee Swayne, Chair,*

*Pat Williams, Vice Chair*

*Shiree Teng, Secretary,*

*Members: Ariel Bierbaum, Cesar Escalante, George Holland, Chanu Lee, (Vacancy),  
(Vacancy)*

## A. Call to Order


*Chairperson Renee Swayne called the meeting to order at 6:15 P.M.*

## B. Roll Call

**Present** 8 - Member George Holland  
Member Ariel Bierbaum  
Member Ariel Bierbaum  
Member Chanu Lee  
Member Ariel Bierbaum  
Member Ariel Bierbaum  
Vice Chairperson Patricia Williams  
Chairperson Renee Swayne

**Absent** 3 - Member Cesar Escalante  
Member Cesar Escalante  
Secretary Shiree Teng

## C. Committee Minutes

 [15-1161](#) **Minutes - Measures "A, B, & J Independent Citizens' School Facilities Bond Oversight Committee - Regular Meeting - May 6, 2015**

Approval by the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee of its Regular Meeting Minutes of May 6, 2015.

**Attachments:** [15-1161 - Minutes - Measures "A, B, & J Independent Citizens' School Facilities Bond Oversight Committee - Regular Meeting - May 6, 2015](#)

 [15-1162](#) **Minutes - Measures "A, B, & J Independent Citizens' School Facilities Bond Oversight Committee - Special Meeting - May 18, 2015**

Approval by the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee of its Special Meeting Minutes of May 18, 2015.

**Attachments:** [15-1162 Minutes - Measures "A, B, & J Independent Citizens' School Facilities Bond Oversight Committee - Special Meeting - May 18, 2015](#)

## D. Speaker Request Cards/Modification(s) To Agenda

*Chairperson Swayne said Under New Business, Legislative File ID 15-1165 will be heard by the Committee first. All other items on the agenda will be taken up in the order as printed on the agenda.*

## E. Unfinished Business

[15-0444](#)

**Report - Vacancies on the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee**

Presentation of a status report regarding the filling of vacancies on the Measures "A, B, & J" Committee.

*Committee Chair Renee Swayne and Committee Vice-Chair Patricia Williams terms of service on the committee expires June 10, 2015.*

*New Committee Member Appointments*

*Farrah Wilder and Gerald Green have been appointed by the Board and are in attendance today. Former Committee Vice-Chair, Andrea Dawson will re-join the committee but was unable to attend today's meeting.*

*Public Comments*

*Mike Hutchinson said he knows a person who wants to be on the committee. He said the person submitted an application to the District and the person's name appeared on a Board of Education agenda, but was later removed. Mr. Hutchinson said the process is flawed.*

**Discussed**



[15-0336](#)

**Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee - 2013/2014 Annual Report - Renee Swayne, Chairperson**

Presentation - Measures A, B, and J Independent Citizens School Facilities Bond Oversight Committee - 2013-2014 Annual Report to the Public and to the Board of Education.

**Attachments:** [15-0336 Presentation - Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee 2013/2014 Annual Report](#)  
[15-0336 Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee - 2013/2014 Annual Report - Renee Swayne, Chairperson](#)

*Chairperson Swayne reported that she presented the 2013-2014 Annual Report to the Board of Education and the community as required at the May 27th Board of Education Meeting.*

*Committee Member Comments*

*Ariel Bierbaum suggested disseminating the report throughout the City, on Facebook, Twitter and through community groups.*

*Chairperson Swayne suggested the District have copies available for the public so they are aware of the good work being done in OUSD.*

**Discussed**

 [15-0674](#)

**Position - Deputy Chief, Facilities Management**

A discussion by the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee of the position of Deputy Chief, Facilities Planning and Management, the District's Conflict of Interest Policy and related issues, if any.

**Attachments:** [District's Conflict of Interest Policy \(Amended\), 2/25/15](#)

*Vernon Hal, Senior Business Officer, said as soon as a new Chief of Operations is hired, candidates for the Deputy Chief, Facilities Planning and Management position will be interviewed. Mr. Hal noted there may be some change in the title of the position.*

*Committee Member Comments*

*Vice-Chair Williams spoke about the SGI contract containing a schedule of rates to be paid for different persons in the company, but did not see Lance Jackson paid at the rate listed. Ms. Bierbaum wanted to know if this was approved by the Board of Education?*

*General Counsel Jackie Minor said Mr. Jackson is specified by name as the principal in the contract. There is an Addendum to the contract that shows the rate schedule and hourly rate. Ms. Minor said she will review the contract again, but she is not prepared to answer the question today.*

*Ariel Bierbaum talked about trade-offs if more money is being spent on personnel costs.*

*Ms. Minor reported that so far the District has spent \$90,000 (\$30,000 per month) of a \$10 million dollar contract and does not think any significant re-prioritization of SGI's work is necessary. The Superintendent is committed to this being a short term solution. In regards to the question of whether the District will re-prioritize capital expenditure projects, she does not think the District will have to address the issue.*

*Public Comments*

*Mike Hutchinson said he has been asking for oversight from this committee for months and encouraged the committee to continue pushing staff. He said every dollar spent on consultants takes money away from projects. He said he does not think the District should hire a firm that is currently being sued by the City of San Diego for its management of public projects.*

**Discussed**

 [15-0339](#)

**Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee 2013/2014 Audit Report**

Discussion and follow-up to the acceptance by the Committee of the Measures "A, B, & J" 2013/2014 Audit Report.

**Attachments:** [15-0339 Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee 2013/2014 Audit Report](#)

*There was no discussion regarding the audit report. A new copy was distributed to committee members due to typos in the original copy. No data was changed.*

**Discussed**



[15-0844](#)

### Report - Facility Site Visits - May 1, 2015

9:00 A.M.  
Greenleaf Elementary School @ Whittier  
6328 East 17th Street  
Oakland, CA 94621  
Expansion Project

10:00 A.M.  
Madison Park Upper Campus  
400 Capistrano Drive  
Oakland, CA 94602  
Expansion Project

**Attachments:** [15-0844 Facility Site Visits](#)

*Chairperson Swayne raised questions regarding funding for projects and how the District reconciles when the Project Manager feels not enough money has been allocated to a particular project?*

*Tadashi Nakadegawa, Facilities Director, said there is a process the District will implement to reprioritize/revise the spending plan presented to the Board last year. As plans are presented to the Superintendent and the Board, they will be presented to the committee as well.*

*Ariel Bierbaum wanted to know for the projects currently in progress if their Scope of Work is in jeopardy of being revised?*

*Mr. Nawadegawa said this applies only to projects not yet started through next summer.*

*Chairperson Swayne noted that new projects were added to the plan that were not part of the original plan.*

*Ms. Minor said she is working with staff on several projects. Schools have needs and express those need to the committee. That is different from the District not allocating enough funds for the project. The Scope of Work is approved by the District and the Department of State Architecture and the project budget covers those items. This may not include what a school has said they want.*

*Mr. Nakadegawa said as the Facilities Department receives reports from staff after Facility Site Visits. There is a review of the report; and when possible, site requests will be included in the Scope of Work with feedback provided to the school site.*

*Mr. Hal reported that he now reviews and signs all Facility contracts before Board approval. One change Mr. Hal said he requires from staff is a connection between individual requests and the whole picture.*

#### *Process*

- 1. Budget approval from the Board*
- 2. Contracts are approved by the Board*
- 3. Change orders often have a contingency included in the original contract. In those cases, no additional Board approval is necessary. If it is not included in the contract, Board approval is required for additional funding first before granting the change order.*

**Discussed**



[15-0673](#)

**Lease Leaseback Delivery Model - District Capital Projects**

Presentation to the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee on the use of the Lease Leaseback delivery model for District Capital Projects.

**Attachments:** [15-0673 Memorandum - Lease Leaseback Delivery Model - District Capital Projects](#)  
[15-0673 Measure B Construction Cost Comparison Spreadsheet - District Capital Projects - March 18, 2015](#)

*This item is being table to the next committee meeting.*

*Public Comments*

*Mike Hutchinson said this item has been tabled for the last two committee meetings and would like for there to be a discussion at the next committee meeting.*

*Chairperson Swayne noted the item has been tabled due to the lack of a quorum of the committee and staff not informed item would be on the agenda. Today's agenda is full and staff were not requested to attend to make a presentation*

**Postponed to a Date Certain**

## F. New Business



[15-1165](#)

**Presentation - Local Business Utilization 2014 Annual Report**

Presentation to the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee by Shonda Scott of the District's Local Business Utilization 2014 Annual Report.

**Attachments:** [15-1165 Presentation - Local Business Utilization 2014 Annual Report](#)

*Shonda Scott, CEO 360 Total Concepts provided on overview of her work with the District. 360 Total Concept is an independent Local Business Utilization Compliance tem. In addition to monitoring, 360 partners with OUSD to coordinate legislative site tours for legislators to see how OUSD is spending voter approved bond money.*

*Highlights of the Overview*

*The Board of Education increased the Local Business Utilization on all District capital Program funded projects to 20% on January 2014, and to 50% on December 2014.*

*On October 3, 2014, the team hosted legislative tours featuring the award winning and zero-emission designed project, LaEscuelita Education Complex.*

*Committee Member Comments*

*George Holland said through Ms. Scott's presentation today, he can relate to the community the benefit for local merchants and contractors.*

**Discussed**



[15-1163](#)

**Measures A, B, & J (Fund 2122) - Budget to Actual Expenditures, Cash Flow Projections Through May 30, 2015**

Presentation of the Measures "A, B, and J" Independent Citizens' School Facilities Bond Oversight Committee (Fund 2122) - Budget to Actual Expenditures, and Cash Flow Projections through May 30, 2015

**Attachments:** [15-1163 Measures A, B, & J \(Fund 2122\) - Budget to Actual Expenditures, Cash Flow Projections Through April 30, 2015](#)

*David Colbert, Facilities Department made the staff presentation which included the consultant salaries year-to-date, a request made by the committee.*

*A request was made by the committee to provide monthly changes in consultant salaries in future reports.*

**Discussed**

[15-1164](#)

**Report - California League of Bond Oversight Committee Conference - May 19, 2015**

Presentation to the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee o a Report on the California League of Bond Oversight Committee Conference attended by Committee Members Ariel Bierbaum and Shiree Teng on May 19, 2015 in Sacramento, CA.

*Committee Members Ariel Bierbaum and Shiree Teng attended this conference.*

*Airel Bierbaum reported the presentation focused on discussions on floating a bond, a presentation from the Governor's Office and the Legislative Analysis Office on school facility finance and the coming budget cycle. Ms. Bierbaum thanked Superintendent Wilson for sponsoring the cost for this conference.*

*Edgar Rakestraw, Board Executive Assistant, attended the conference and said there seems to be a growing consensus in Sacramento that perhaps facility projects should be funded similarly as LCAP. He said this is being discussed between the Governor and the Legislative Analysts as a possibility in the future.*

**Discussed**



[15-1167](#)

**Invitation - Facility Site Visits - June 5, 2015**

9:00 A.M.  
United Nation Child Development Center  
1025 4th Avenue  
Oakland, CA 94606  
Completed Project

10:00 A.M.  
Fruitvale Elementary School  
3200 Boston Avenue  
Oakland, CA 94602  
Paving and Portable Demolition - Bidding Process

**Attachments:**     [15-1167 Invitation - Facility Site Visits - June 5, 2015](#)

*Chairperson Swayne announced Friday's Site Visit to the United Nations CDC and Fruitvale Elementary School. Committee Members and the public will see first hand the newly opened CDC Centers and the paving and demolition projects planned at Fruitvale Elementary School.*

**Discussed**



15-1176

**Report - Marcus A. Foster Education Leadership Campus - Conceptual Design 1**

Presentation to the Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee on the proposed - Conceptual Design 1 - Marcus A. Foster Education Leadership Campus.

**Attachments:**     Dr. Marcus Foster Education Leadership Campus (Proposed)

*Public Comments:*  
*Mike Hutchinson said the students at Dewey High School do not want to be displaced during construction and want to be housed in a seperate building, not in the proposed new administration building.*

**Discussed**

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



[15-1168](#)

**Public Comments on All Non-Agenda Items Within the Subject Matter  
Jurisdiction of the Committee - June 3, 2015**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the  
Measures "A, B, & J" Bond Oversight Committee - June 3, 2015.

*Public Comments:*

*Mike Hutchinson said the infrastructure in the District has not been built up since the return  
of local control from the State.*

**Presentation/Acknowledgment Made**

**H. Introduction of New Legislative Matter**

*None.*

**I. Adjournment**

*Chairperson Swayne adjourned the meeting at 8:21 P.M.*

Prepared By: \_\_\_\_\_

Approved By: \_\_\_\_\_