

# 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*



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## **Minutes (Long)**

**Tuesday, March 02, 2010**

**5:00 PM**

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

## **Facilities Committee**

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

## A. Call to Order

*Chairperson Noel Gallo called the meeting to order at 5:00 P.M.*

## B. Roll Call

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

## C. Modification(s) To Agenda

*After Item E the Committee consider Item F (Legislative File ID 10-0178, 10-0259 and 09-3145) followed by G, H, I and J.*

## D. Adoption of Committee Minutes



**[10-0392](#)**

**Minutes - Facilities Committee Meeting - February 17, 2010**

Approval by the Facilities Committee of Its Meeting Minutes of February 17, 2010.

**Attachments:**    [10-0392 - Minutes - Facilities Committee Meeting - February 17 2010](#)

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

## E. Adoption of the Committee General Consent Report



**[10-0156](#)**

**District Grant - California Department of Education - Early Childhood Education Centers - Facilities Renovation and Repair**

Adoption by Board of Education of Resolution No. 0910-0164 - Accepting Grant No. CRPM-9004 from California Department of Education to provide for Facilities Renovation and Repair at the Early Childhood Education Centers for Lockwood CDC, Martin Luther King Jr, CDC, Sante Fe CDC, Webster CDC and Yuk Yau CDC, in the amount of \$250,000.00, for the period July 1, 2009 to June 30, 2012, pursuant to terms and conditions thereof, if any.

**Funding Source: California Department of Education**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

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



**10-0238**

**Amendment No. 1 - Carolyn Provost - Division of Facilities, Planning and Management Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement (Legislative File 09-2909, approved October 28, 2009) between District and Carolyn Provost, Richmond, CA, for the latter to provide additional assistance in coordination and monitoring of Civic Center applications; reviewing applications ensuring they are compliant according to the policy and procedures; collect fees, post and prepare reports as needed in conjunction with the Division of Facilities, Planning and Management in an additional amount not to exceed \$4,000.00, increasing the Agreement from a not-to-exceed amount of \$12,000.00 to \$16,000.00, and extending the contract date of October 15, 2009 through December 31, 2009 to February 10, 2010. All other terms and conditions of the Agreement remain in full force and effect.

**Resource Code - 0070-918**

**Funding Source: Local Civic Services**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

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

**10-0245****Amendment No. 1 - Professional Service Contract - Vista Environmental Consulting, LLC - Hazardous Waste Removal**

Ratification by the Board of Education of Amendment No. 1 to Professional Services Contract between District and Vista Environmental Consulting, LLC, for the latter to perform additional hazardous waste pickup, as described in the Scope of Work, from the Corporate Facilities Yard, 900 High Street, Oakland, CA, for an additional amount not to exceed \$2,975.00, increasing the not to exceed amount of the contract from \$25,734.00 to \$28,709.00, for the period November 23, 2009 through June 30, 2010. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 0000**

**Funding Source: Fund 01 Safety Hazardous**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

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

**10-0280****Educational Organization Contract-Dunsmuir House and Gardens, Inc - Skyline High School - Facilities Rental**

Ratification by the Board of Education of an Educational Organization Contract between District and the Dunsmuir House and Gardens, Inc., Oakland, CA, for the latter to provide rental of facility - Pavilion Room, 100 banquet chairs, 10 round tables, 6-8 Ft. table, for the Skyline High School Winter Ball on January 23, 2010 from 5:00 P.M. to 12:00 A.M. at a cost not to exceed \$3,500.00.

**Resource Code - NONE-306**

**Funding Source: All Student Body Funds**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

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

**10-0293****Change/Correction - Project Budget Code - Claremont Landscaping Project**

Approval by the Board of Education of Resolution No. 0910-0134 - Changing/Correcting the Project Budget Code (i.e., Funding Source) from County School Facilities Fund to State School Building Fund for the \$800,000.00 Claremont Landscaping Project (originally approved as Legislative File No. 09-3258, December 16, 2009), with all other terms and conditions of the original approval (i.e., Key Code, Project Number) remaining in full force and effect.

**Resource Code - 3030-201**

**Funding Source: State School Building Fund**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

**Votes:** Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 3 - Jody London, Alice Spearman and Noel Gallo

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-0319****Professional Service Contract - ACC Environmental Consultants - Stonehurst Restroom Modernization Project**

Approval by the Board of Education of Professional Service Contract between District and ACC Environmental Consultants, Oakland, CA, for the latter to provide project planning, specifications, project management and air monitoring services for the removal of asbestos containing building materials, as described in the Scope of Work, incorporated herein 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 Stonehurst Restroom Modernization Project for the period commencing March 11, 2010 and concluding no later than February 28, 2011 in an amount not to exceed \$12,840.00.

**Resource Code - 2122-155**

**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: 3 - Jody London, Alice Spearman and Noel Gallo

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-0320****Professional Service Contract - Comtel Systems Technology, Inc. - Prescott Elementary School Modernization Project**

Approval by the Board of Education of Professional Service Contract between District and Comtel Systems Technology, Inc., Sunnyvale, CA, for the latter to provide a new Rauland Telecenter Vi system to directly replace the existing electronics, as described in the Scope of Work, incorporated herein 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 Prescott Elementary School Modernization Project for the period commencing March 15, 2010 and concluding no later than December 31, 2011 in an amount not to exceed \$51,753.00.

**Resource Code - 2122-147**

**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: 3 - Jody London, Alice Spearman and Noel Gallo

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-0321****Professional Service Contract - KEMA Services, Inc. - Montclair New Classroom Building Project**

Approval by the Board of Education of Professional Service Contract between District and KEMA Services, Inc., Oakland, CA, for the latter to provide commissioning for the entire project including electrical, mechanical and plumbing, as described in the Scope of Work, incorporated herein 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 Montclair New Classroom Building Project for the period commencing March 11, 2010 and concluding no later than August 20, 2012 in an amount not to exceed \$48,000.00.

**Resource Code - 2122-143**

**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: 3 - Jody London, Alice Spearman and Noel Gallo

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-0324****Professional Service Contract - Sandis - Stonehurst CDC Building Replacement Project**

Approval by the Board of Education of Professional Service Contract between District and Sandis, Oakland, CA, for the latter to provide comprehensive surveying services for the Stonehurst CDC campus, as described in the Scope of Work, incorporated herein by reference, with services including preparation of topographic and boundary surveys, utility locating and mapping based upon available agency records, field location and mechanical detection, and preparation of a title report, in conjunction with the Stonehurst CDC Building Replacement Project for the period commencing March 11, 2010 and concluding no later than February 24, 2011 in an amount not to exceed \$16,800.00.

**Resource Code - 2122-155**

**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: 3 - Jody London, Alice Spearman and Noel Gallo

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**10-0325****Professional Service Contract - Simplex Grinnell - Jefferson Elementary School Modernization Project**

Approval by the Board of Education of Professional Service Contract between District and Simplex Grinnell, Pleasanton, CA, for the latter to provide supervision to the electrical contractor and/or low-voltage installer of the fire alarm system during the following critical path periods: conduit installation; wire pulling; wire continuity review/testing; and termination/trimming of devices in conjunction with the Jefferson Elementary School Modernization Project for the period commencing May 14, 2010 and concluding no later than May 12, 2012 in an amount not to exceed \$21,600.00.

**Resource Code - 2122-128**

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

**10-0326****Amendment No. 5 - Professional Services Agreement - Gelfand/RNP - Cox Elementary School Modernization Project**

Approval by the Board of Education of Amendment No. 5 to Professional Services Agreement between District and Gelfand/RNP, San Francisco, CA, for the latter to provide, but is not limited to, design services for adding a Tankless Water Heater, Electronically Controlled Actuator Valves, Demo of existing connection, domestic hot water calculations, and incorporating DMS System, due to a District requested change, in conjunction with the Cox Elementary School Modernization Project, in an additional amount not to exceed \$1,606.00, increasing the Agreement from a not to exceed amount of \$533,084.00 to \$534,690.00. 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: 3 - Jody London, Alice Spearman and Noel Gallo  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-0328****Amendment No. 1 - KDI Consultants, Inc. - Montclair Interim Housing Project**

Approval by the Board of Education of Amendment No. 1 to Professional Services Agreement between District and KDI Consultants, Inc., Oakland, CA, for the latter to provide additional Division of State Architect (DSA) Inspections in conjunction with the Montclair Interim Housing Project in an additional amount not to exceed \$9,000.00, increasing the Agreement from a not to exceed amount of \$27,000.00 to \$36,000.00, and extending the end date from August 30, 2009 to October 30, 2010. All other terms and conditions of the Agreement remain in full force and effect.

**Resource Code - 2122-143**

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



**10-0329**

**Amendment No. 2 - Michael Willis & Associates - Calvin Simmons Health Center Project**

Approval by the Board of Education of Amendment No. 2 to Professional Services Agreement between District and Michael Willis & Associates, Oakland, CA, for the latter to provide water service fire-flow information from EBMUD and calculations requested by the Division of State Architect (DSA) Fire Life Safety plan review in conjunction with the Calvin Simmons Health Center Project in an additional amount not to exceed \$1,800.00, increasing the not to exceed amount of the Agreement from \$94,227.00 to \$96,027.00. All other terms and conditions of the Agreement remain in full force and effect.

**Resource Code - 2122-205**

**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: 3 - Jody London, Alice Spearman and Noel Gallo  
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 - Jody London, Alice Spearman and Noel Gallo

Nay: 0

Recused: 0

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

## F. Unfinished Business



### 09-2949

#### **Board Policy - Business Services and Non-Instructional Operations - BP 3285 - Vegetation Policy**

Approval by the Board of Education of Board Policy - Business Services and Non-Instructional Operations - BP (NTBD) - Vegetation Policy.

#### **Funding Source: Deferred Maintenance**

#### **Attachments:**

[Document\(s\)](#)

[09-2949 - Board Policy - Business Services and Non-Instructional Operations - BP 3285 - Vegetation Policy.pdf](#)

*Timothy White, Assistant Superintendent for Facilities, asked the Committee to approve the Vegetation Policy. He said they have spent time over the last several months with Director London, the Gardening Council and Buildings & Grounds coming up with a policy we think represents the best interest of community gardens, their growth and the District promoting healthy eating habits.*

#### *Committee Discussion*

*Acting Chair Spearman asked if the liaisons positions mentioned on the Policy were paid positions?*

*Mr. White said they could be an existing FTE or community representatives.*

*Director London said usually when a school starts a garden it is an effort that comes from the parents and the neighboring community. She said they thought it would be useful to develop some operational expectations so that when a school community decides they want to have a garden, they know what kind of support they can expect from the District and vice versa. The District also has expectations for the school about what will happen if they install a garden. She said sometimes it is a paid position and sometime it is part of the afterschool curriculum.*

*Secretary Rakestraw requested that staff put the Policy in CSBA format which is the Board Policy format before it goes to Board.*

**A motion was made by Jody London, seconded by Alice Spearman, 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 - Jody London and Alice Spearman

Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**10-0259****Report on the District's Local Vendor Policy**

Report from the Assistant Superintendent of Facilities Planning and Management Buildings & Grounds and Custodial Services on the year to date progress of the Local Vendor Policy adopted by the Board of Education on December 17, 2008.

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

*Mr. White requested this item be carried over to the Committee Meeting on March 16th. He also requested 09-3145 and 10-0409 to be scheduled for March 16th. He said the Chair wanted to meet with the Asset Management Team, so item 09-3145 may not be heard until March 30th.*

**Tabled to a Date Certain**

**10-0178****Memorandum of Understanding - District and Spanish Speaking Unity Council  
- Cesar Chavez Education Center**

Approval by Board of Education of Memorandum of Understanding ("MOU") between the District and the Spanish Speaking Unity Council, for the latter's scheduling and use of fields, gymnasium and other facilities, pursuant to terms and conditions specified the MOU, for the academic year 2009-2010 at the Cesar Chavez Education Center.

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

*Director Gallo said he would hear from the speakers first.*

*Public Comments*

*Louisa Larkin, Program Manager Neighborhood Sports Initiative for the Unity Council, said annually they serve over 650 youth at the Cesar Chavez Education Center during the 6:00p.m.-9:00p.m. program. Currently we have been operating Monday through Friday from 6:00p.m.-9:00p.m. serving youth on the softball field, basketball court in the gym and the soccer fields. The MOU on the Agenda today is to expand the program to weekends where the soccer fields will be in use during that time on the weekends. The rental and facility fee charged on the weekend will generate revenue that will go towards the Security and Custodial fees for Monday through Friday.*

*Marsha Murrington, Executive Vice President Unity Council, thanked the Facilities Committee for bringing this back before the Committee. She said they have been working with Tim White's office and the Civic Center Office for the last couple of years and we had a MOU that was previously passed by the Board. We were looking at how we continue to provide these services during the week, cover the cost, make sure the children are safe and they are able to participate in sports in our community. We came up with the concept of renting the facility on the weekends in order to cover the cost during the week which will include a facility fee and the necessary services for the weekend. She said they thought*

*they were close to an agreement and last week it was recommended by the Civic Center Office to add two Security Guards on the weekend. With the Custodial and a facility fee that would not allow us to get anyone to rent it because it would be cost prohibitive. Currently the Civic Center Office is leasing the facility out and there has never been a need to have security there. She said they have plenty of supervision with parents and coaches and feel that on the weekends because it is league games. We are interested in covering the cost and not having the District go into debt but we think those cost need to be reasonable.*

*Crystal Salas-Patten, Native American Health Center Youth Services Program, spoke in support of the Unity Council and what they do for the Fruitvale area. She said coaches, parents and staff from some of the other agencies are there to supplement what is going on. The program is a great benefit to the Fruitvale Community letting our youth participates in activities after school, in the evenings and on the weekends.*

*Claudia Burgos, Councilmember Ignacio de la Fuente's Office, said the office supports the MOU and she has a letter from the Principals of the two schools, Karen Monroe and David Silver supporting the MOU.*

*Chairperson Gallo asked if there were any questions from Committee Members because he would like to make an amendment to the MOU being presented tonight.*

*1. Chairperson Gallo said he does not think there is a need for SSO's on Saturday and Sunday. We have been providing the services for over 10 years and there has not been an incident.*

*2. The facilities fee is an excessive amount and we have to recognize the fact that we are at a different time and trying to make our schools a community center and encourage participation. Cesar Chavez School since it opened has been a community center of activity for all the children in that neighborhood. He said for recreation on the field in the Fruitvale area is very limited.*

*Chairperson Gallo proposed that the Committee make those two adjustments to the MOU.*

*Director London asked for an explanation about the facility fee and why the need for two SSO's on the weekend.*

*Mr. White said the facility fees are set by the Civic Center Handbook the Board approved and updated in 2007. There are two different rates, a non-profit rate and the market rate. Facility fees were assessed at the market rate with the Unity Council and those fees have been waived. The Custodial and Security fees are services necessary on some permits and that is determined on a case by case basis. He said we did have an agreement last year and the agreement expired after one year. In the previous MOU with the Unity Council they were not charged a facility fee, they only paid for Custodial and SSO's.*

*Director London said it was not clear to her what criteria we are using to waive the facility fee. She said we will now have Jack London Youth Soccer, NOLL SOLL Baseball and every other Non-Profit recreational sports league in the City coming and wanting us to waive facility fees.*

*Marsha Murrington said she wanted to clarify the facility fee. She said what they are*

*asking is that the fee charged on the weekend for league usage goes to offset the cost of the Security Officer and Custodial cost for the Monday through Friday usage. She said they are not asking the District to waive the facility fee for the weekend use when there are league games. We are asking for the SSO portion on the weekend not to be in effect.*

*Director Spearman asked Chairperson Gallo if he would accept a Friendly Amendment to the MOU for one SSO. She said knows nothing has not happened but anything can happen. She said nobody is debating the usefulness of the site but we have to protect ourselves as a District. She said she has been there and watched several games and has seen what goes on in the parking lot and around in the area. She said it is better to be safe than sorry. With the Principal asking for a SSO we can re-visit this if it really proves out there are no problems we can drop the requirement in a few months. She said that is OUSD property and we have to protect it.*

*Chairperson Gallo said the City owns the property and we own the building on top of it.*

*Claudia Burgos said currently there is a permit issued by the Civic Center Office for Saturday and Sunday use that runs through April and there is no SSO that goes along with that permit. Ms. Burgos said she along with others were at the site on the weekend and confirmed there was no SSO.*

*Chairperson Gallo made a motion to eliminate the request for two SSO's from the MOU. The motion failed to get a second.*

*Director Spearman made a motion to approve the MOU with one SSO and Director London seconded the motion. Director Spearman later withdrew her motion.*

*General Counsel Jacqueline Minor pointed out to the Committee that in the draft MOU they have a very strong indemnity provision. She said indemnity provisions protect you after the fact; they don't protect you at the time. She said provided the Unity Council provides the Public Liability and Property Damage Insurance that they are required to provide, (\$1 million) the indemnity provision should be sufficient to protect the District. It is not the same as having someone on site. She said we would expect to see on the insurance certificate issued the naming the District as an additional insured which is added protection for the District.*

*Director London requested Chairperson Gallo restate his amendment. Chairperson Gallo said his amendment was to keep the facility fee on the weekend and strike out the two SSO's on the MOU.*

**A motion was made by Alice Spearman, seconded by Jody London, that this matter be Recommended Favorably as Amended. The motion carried by the following vote:**

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

Preferential Pay: 0

## Roll Call (Secretary's Observation)

*Noel Gallo absent at 6:25 P.M. Chairperson Gallo said he had a parent meeting to attend at Lazeur School from 5:00p.m.-6:00p.m. and requested Director Spearman to Chair the rest of the Committee Meeting.*

**Roll Call:** Present: Jody London and Alice Spearman

Absent: Noel Gallo



### 09-3145

#### **District Facility and Real Property Asset Management Study**

Presentation by the Facilities Department of an updated District Facility and Real Property Asset Management Study as of February 16, 2010.

**Attachments:** [Document\(s\)](#)  
[09-3145 - District Facility and Real Property Asset Management Study - Update - As of February 16 2010.pdf](#)

*Mr. White requested this item be carried over to the Committee Meeting on March 16th. He also requested 09-3145 and 10-0409 to be scheduled for March 16th. He said the Chair wanted to meet with the Asset Management Team, so item 09-3145 may not be heard until March 30th.*

**Tabled to a Date Certain**

## G. New Business



### **10-0409**

#### **Report on the District's Project Labor Agreement**

Report from the Assistant Superintendent of Facilities Planning and Management Buildings & Grounds and Custodial Services on the year to date progress of the Project Labor Agreement adopted by the Board of Education on May 29, 2002.

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

**Tabled to a Date Certain**

## H. Report of the Assistant Superintendent for Facilities Planning and Management, Buildings & Grounds and Custodial Services

*Lynn Reddrick, Mason Tillman Associates, gave an overview of the company. Ms. Reddrick described Mason Tillman Associates as a local company well versed with local law having a good track record in terms of engaging the local businesses in the area. She said she could answer any question anyone had about a Disparity Study. She said they have relationships with the trade associations, the Chambers of Commerce and local activists.*

*Committee Discussion*

*Director London had several questions. She said this was a Professional Services Contract and wanted to know if this was something we normally would put out to bid and what's the cost? She said last night at the Teaching and Learning Committee she was asking about a specific contract and why it wasn't being done in Oakland and she was informed the Pupil Achievement part of our program is not covered by our Local Vendor Policy.*

*Mr. White responded to Director London's question regarding the Disparity Report. He said he believes we will do a RFP for the services. He said we do in most cases.*

*Acting Chair Spearman said all departments are covered by the Local Vendor Policy.*

*Director London said that was her understanding. She said the response she was given it was not. Director London asked for clarification.*

*Cate Boskoff, Facilities Counsel, said when the District initiated the Policy it was the intent was it would be a District-wide policy. She said the policy came out of the Facilities Department and kind of geared toward the Capital Program.*

*Director London said she hoped the Disparity Study could like at the availability for those contracts.*

*Acting Chairperson Spearman said to Ms. Boskoff she authored or the Local Vendor Policy and it is a District-wide policy not specific to Facilities. She said it was adopted as a District-wide policy. She asked General Counsel Minor was the Local Vendor Policy was adopted as a District-wide policy in 2008?*

*General Counsel Minor said one possibility is during the period as the Board was getting back control and adopting various policies, you adopted a policy that you did not have control of that particular area. She said it is possible that departments such as the academic side did not believe the policy applied to them because the Board at that time did not have direct control, the State Administrator still had control over that department. She said she will bring this up in cabinet on Thursday and the following Thursday she will do a Local Vendor Policy 101 so that it is clear on the administrative side the obligation applies to all departments going forward.*

*Acting Chair Spearman asked for a date this would take effect.*

*General Counsel Minor said we must apply the policy with respect with any contract that is coming to the Board. Any approved contracts there are difficulties suggesting somehow those contracts are not valid because the policy was not followed.*

*Acting Chair Spearman wanted to know if there was a timeline?*

*Mr. White said at this point we don't have a timeline.*

*Cate Boskoff said this particular contract is probably exempt from a public process with respect to a RFP and a RFQ because of the special services carve out.*

*Director London asked the funding source to pay for the study?*

*Mr. White said probably by the General Fund or some other funding.*

*There were no speaker cards submitted on this item.*

## **J. Introduction of New Legislative Matter**



### **10-0393 2009-2010 Measure "B" Expenditure Report**

Presentation of 2009/2010 Measure B Expenditure Report as of March 3, 2010.

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

*Charles Love, Facilities Department, distributed the Measure "B" Expenditure Report to Committee Members. Mr. Love said there were no new projects added since the last report. The approved budget remains unchanged at \$394 Million. The projected savings from the approved budget remains at \$14.3 Million. The projected savings from the total Bond amount of \$435 Million remains at \$40.9 Million. Since the last report expenditure increases totaled \$976,700 for construction and design.*

*Committee Discussion*

*Director London clarified that it is the amount remaining and not savings.*

*Mr. Love said "Yes."*

*Acting Chair Spearman noted Washington Small School listed on the report and wanted to know what was being done there?*

*Mr. White said the project for Washington Small School was approved by the Board prior to Sankofa School. He said this was a rollover. There is some work planned for the school that is smaller than originally planned. There are some administrative staff housed at Sankofa on the second floor and the project is yet to be completely scoped.*

*Acting Chair Spearman asked what happens if the site is closed?*

*Mr. White said if the site is closed the work will be stopped.*

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

*Darrel Carey, East Bay Small Business Council, said regarding Cox Elementary there is an additional \$534,000 on tonight's agenda for a tankless system. He said we are going to spend some more money with a San Francisco firm, GKK McCarthy, bringing other people from all over the Bay to work on Measure "B" funding in this tough economic times stimulating everybody else but Oakland.*

*In terms of terms of the Project Labor Agreement he said you allow people to come and tell*



*you we expended this amount and this is the amount we kept in Oakland. He said we need to put the Construction Management Contract on the street now.*

## **J. Introduction of New Legislative Matter**

*Director London said at the Board Meeting three weeks ago Mr. White talked about the Clean Renewal Energy Bonds and she is interested in a report on the criteria by which we will determine which schools will be getting those panels.*

*Mr. White said the schools had to be pre-selected as a requirement of the applications that were sent in. There was a preliminary screening based on roof space, utility bills and ability to generate about 80% of the power needed to cover the site utilization.*

*Acting Chairperson Spearman requested a report on why some District departments don't feel they have to abide by the Local Vendor Policy.*

## **K. Adjournment**

*Acting Chairperson Spearman adjourned the meeting at 5:57 P.M.*

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

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