## **Oakland Unified School District**

Board of Education 1011 Union Street, #940 Oakland, CA 94607-2236 (510) 879-1940 510 627-9440 eFax 711 TTY/TDD



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#### Meeting Minutes Long - Final

Monday, March 10, 2025 6:30 PM

Committee Room, KDOL TV Studio, B-237, Met West High School Entrance, 314
East 10th Street, Oakland, CA 94606-2291, Internet - Zoom & Granicus;
Broadcasted - KDOL-TV (Comcast Channel 27 and AT&T Channel 99)
Measures B, J, and Y Independent Citizens' School Facilities

## **Bond Oversight Committee**

Chairperson: Andrew Butler, Vice Chairperson: Alexandra Park, Secretary: Viola Gonzales

Members: Andrea Dawson, Sarah Price, John Jones III, Angela Darby, Anana Clark, (Vacancy)

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អ្នកណាដែលត្រវការសេវាបកក្រែអាសាដោយផ្ទាល់មាត់ ឬជាលាយលក្ខអក្សរ ឬត្រវការការជួយសម្រះសម្រលយ៉ាងសមរម្យ មួយ ដើម្បីចូលរួមក្នុងកិច្ចប្រជុំនានានោះ ត្រវផ្តល់ដំណឹងទៅកាន់ទីការិយាល័យនៃក្រមប្រឹក្សាអប់រំ ឱ្យប្រានចិតសិបពី (72) ម៉ោង មុនកិច្ចប្រជុំ តាមរយៈទុរស័ព្ទ:លេខ (510) 879-8199 ឬតាមរយៈអ៊ីមែល <u>boe@ousd.org</u> ឬទូរស័ព្ទ etty/tdd លេខ (510) 879-2300 ឬទូសារលេខ (510) 879-2299។

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#### ON-LINE SPEAKER CARD REGISTRATION

Public Comment, at the meeting, will be taken individually on Agenda Items indicated by Microphone Icon.

You may register to speak in advance on the Agenda Item whether attending the meeting by teleconference, e.g., Zoom, or in person.

On line Speaker Card Registration (Sign In To Speak) opens at minimum 72 hours in advance for a Regular Meeting or at minimum 24 hours in advance for a Special Meeting. Use the eComment Link to Sign In (Register) to Speak up to one hour before the beginning of the meeting. Manual (Paper) Speaker Cards also will be available at the meeting for completion.

Sign In to Speak, on an eligible Agenda Item, as a matter of equity, is first registered, first called, in order of Registration whether participation is in person or virtually, e.g. Zoom, or by audio, e.g., telephone.

For advanced pre-meeting Registration, You must establish a one-time OUSD eComment - Sign In (Register) To Speak Account providing your First Name and Last Name and your email address. Your First Name and Last Name, as Registered, must also show as the Participant or Profile Name on a teleconference system (i.e., Zoom, webex, other). You will be requested to Register the first time you use eComment - Sign In To Speak.

The Sign In To Speak System, after the one time registration, will remember you by first name and last name associated with your email address (profile), making it easier for you to electronically Register or Sign In to Speak on an Agenda Item at a future OUSD legislative meeting, e.g., Board, committee, commission.

Early pre-meeting Sign In To Speak (Registration) is urged for all - whether you plan to attend meeting in person or view meeting via teleconference or listen to the meeting by telephone. Names will be called in Sign In To Speak order received.

## NOTICE - MEDIA/MEMBERS OF THE PUBLIC MAY ATTEND AND PARTICIPATE IN-PERSON OR VIRTUALLY

Members of the media and the public may attend and participate in the Committee meeting in-person in the Committee Room, KDOL TV Studio, B-237, Met West High School Entrance, 314 East 10th Street, Oakland, CA 94606-2291 or virtually as described herein.

The following information is for those members of the media and public interested in viewing or listening to the Committee meeting virtually.

- Zoom: To view by Zoom, please click https://ousd.zoom.us/j/87340789708 on or after the Noticed meeting time. Instructions on how to join a meeting by video conference are available at: https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting.
- Phone: To listen by phone (via Zoom), please do the following at or after the Noticed meeting time: call (669) 900-9128, then enter Webinar ID 873 4078 9708, then press "#". If asked for a participant id or code, press #. Instructions on how to join a meeting by phone are available at: https://support.zoom.us/hc/en-us/articles/201362663 -Joining-a-meeting-by-phone.
- To view the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee meeting from the District's Home Page -Upcoming Events & Live Meeting Video, please select the meeting name and click on the "In Progress" link under Video or go to the Legislative Information Center (under Board of Education on Home Page)>Calendar Tab>Calendar>Today>Measures B. J. and Y Independent Citizens' School Facilities Bond Oversight Committee>"In Progress" link under Video.

Public comment in-person is permitted within the times allotted for public comment on the Agenda. Virtual comment will also be permitted within the times allotted for public comment on the Agenda in the following two ways:

## NOTICE - MEDIA/MEMBERS OF THE PUBLIC MAY ATTEND AND PARTICIPATE IN-PERSON OR VIRTUALLY (CONTINUED)

• To comment virtually by Zoom, if you have made a pre-meeting Request to Speak, when your name is called, click the "Raise Your Hand" button. You will be unmuted and allowed to make public comment. After the allotted time, you will then be re-muted. Instructions on how to "Raise Your Hand" is available at:

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In addition, members of the public may submit written comments for a posted Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee Meeting Agenda Item, before a meeting or while a meeting is "In Progress," from the District's Home Page - Upcoming Events & Live Meeting Video by selecting Board of Education Agenda "eComment" or from the Legislative Information Center, as follows:

- If before Sunday, click Calendar Tab>Next Week>Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee>eComment
- If Sunday or thereafter up thru day before Meeting, click Calendar Tab>This Week>Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee>eComment
- If day of Meeting, click Calendar Tab>Today>Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee>eComment

Or by clicking the "eComment" in bold link on the cover page of this Agenda.

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### MEETING PROCEDURES

All Committee meetings shall begin on time and shall be guided by an Agenda prepared in accordance with Board Bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

## BOARD BYLAW 9131 - MEASURES B, J, Y INDEPENDENT CITIZENS' SCHOOL FACILITIES BOND OVERSIGHT COMMITTEE CHARGE OR RESPONSIBILITIES

Purpose: With respect to Measure B (2006), Measure J (2012), and Measure Y (2020), to provide advice and recommendation to the District regarding the expenditure of funds for bond related projects, to actively review and report on the proper expenditure of taxpayers' money for school construction and to take any necessary action in furtherance of its purpose including, but not limited to, receiving and reviewing copies of annual independent financial audits and deferred maintenance proposals, inspecting school facilities and grounds, receiving and reviewing cost-saving measures designed to reduce the costs of professional fees and site preparation. The Committee shall have the option to tour sites where Bond funds are being expended, with support from the Superintendent.

## A. Call to Order

Chairperson Andrew Butler called the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight (BJY) Committee at 6:32 P.M.

#### B. Roll Call

Present 5 - Member Anana Clark

Member Sarah Price

Member Andrea Dawson

Vice Chairperson Alexandra Park

Chairperson Andrew Butler

Absent 4 - Member (Vacancy) (Vacancy)

Member John Jones III

Member Angela Darby

Secretary Viola Gonzales

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

A request to speak at this Committee Meeting, may be made in-person or virtually as stated in this Agenda.

Modification(s) to the Agenda, by the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee, allows for any change in the printed Order of Business including, but not limited to, an announcement that an Item or Legislative File will be considered out of Agenda printed order, that consideration of an Item has been withdrawn, postponed, rescheduled or "pulled" or taken off of the Committee General Consent Report for separate discussion and/or possible action.

None

## **D.** Adoption of Committee Minutes

D.-1 **25-0588** 

Minutes - Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight - February 10, 2025

Adoption by the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee of its Meeting Minutes of February 10, 2025.

Attachments:

25-0588 Minutes - Measures B, J, and Y Independent
Citizens' School Facilities Bond Oversight – February 10,
2025

A motion was made by Member Dawson, seconded by Vice Chairperson Park, that the February 10, 2025, Committee Meeting Minutes, be Adopted. The motion carried by the following vote:

Aye: 5 - Member Anana Clark

Member Sarah Price Member Andrea Dawson

Vice Chairperson Alexandra Park

Chairperson Andrew Butler

**Absent:** 3 - Member John Jones III

Member Angela Darby

Secretary Viola Gonzales

Non-voting: 1 - Member (Vacancy) (Vacancy)

Enactment No: 25-0436

## E. Adoption of the Committee General Consent Report

"Adoption of the Committee General Consent Report" means that all items appearing under this topic are approved in one motion unless a Member of the Committee requests that an item be removed and voted on separately or otherwise acted upon. Generally, these items are routine in nature, and are acted upon in one motion to conserve time and permit focus on other-than-routine legislative items on the agenda.

None

## F. Unfinished Business

None

## G. New Business



Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Budget to Actual Expenditures and Cash Flow Projections as of December 31, 2024 - Facilities Planning and Management

A Presentation to the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee, of the Measures B and J Budget to Actual Expenditures and Cash Flow Projections as of December 31, 2024. (Expenditure Report)

#### Attachments:

25-0597 Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Budget to Actual Expenditures and Cash Flow Projections as of December 31, 2024 - Facilities Planning and Management

Michael Ezeh, Director, Program Accounting for Facilities, provided an overview of the Expenditure Report updated as of December 31, 2024. As of December 31, 2024, the status of our general obligation bonds are as follows:

Measure B has a balance of over \$5 Million; Measure J has a balance of over \$31 Million; and Measure Y has about \$225 Million of issued funds, bringing the available funds total to about \$261 Million. There remains another \$365 Million in unissued bonds.

Director Ezeh also reviewed the Project Budget Reconciliation Reports for Projects, as follows: Coliseum College Preparatory Academy at Havenscourt Site Expansion; Claremont Kitchen & Multipurpose Room (MPR); Kaiser Elementary School Outdoor Learning; Laurel Child Development Center (CDC) New Construction; McClymonds Modernization (MOD); Melrose Leadership Academy (MLA) at Maxwell Park & Sherman Schematic Design Services; MLA at Maxwell Park Living School Yard; Roosevelt MOD; Garfield Site Renovation, and Cole Administration.

The Committee discussed this Matter:

Discussion - Member Dawson, Price, Clark, Vice Chairperson Park, Chairperson Butler

Questions from Committee Members on Detail provided for Historical Expenditure details by Site, responses pending:

- Cole Administration: Why does the chart say it is 79% and status remains under construction if the project is complete?
- Dewey (Marcus Foster) Campus: Current status says ON HOLD. Why is that?

Relative to Dewey: 1025 Second Avenue, now a vacant property near Dewey (Marcus Foster): What is the condition of the building? Status of abatement

and safety conditions (fire sprinklers, etc) and safety impacts to Dewey from that building. Partial response from staff that there is a risk management report underway.

- What is in the \$15 Million of projects, not yet started?

Questions from Committee Members on Budget Reconciliation reports focused on the Cole Administration Building, as follows (responses pending):

- What would it take to get the Cole property ready for adult use by an outside agency given that the first floor is unfinished but prospective tenant might be willing to make necessary improvements?
- If available use is for adults, why would this project need to go back to Division of State Architect (DSA) for additional approval?
- Can this property be included in the "vacant" properties" report that is underway to the Board?
- Will the \$8.8 Million listed in its remaining budget be redeployed to other major projects?

Partial response from Facilities Staff on Budget Reconciliation reports focused on the Cole Administration Building:

- OUSD staff is already in the building. Change orders are getting worked through and most are under negotiation. This kind of time-consuming negotiation has caused the district to move away from "design-build" process and move more toward "lease-lease back". Yes, any funds not expended go back to support other major projects.

Comments by Committee Members.

Clerical errors were noted as follows:

- On pdf. page 18, McClymonds is still included with Castlemont under Turf Field Replacement. Facilities Staff at a previous BJY Committee Meeting (February 10, 2025) said that this was incorrect. Therefore, McClymonds should be removed from that description. Furthermore, the Project Budget Reconciliation one-page reports have inconsistent dates. The information may be updated but not all the pages reference December 31, 2024. Some reference September 30, 2024. This should be corrected to reduce confusion to the public.

Public Comment - 1. Assata Olugbala, 2. Ben Tapscott

- Comments by two Public Speakers listed focused on their continued interest to give priority to making needed improvements at McClymonds High School.

#### Discussed

## Roll Call (Secretary's Observation)

Secretary Gonzales is present at 6:38 P.M.

Present 6 - Member Anana Clark

Member Sarah Price

Member Andrea Dawson

Secretary Viola Gonzales

Vice Chairperson Alexandra Park

Chairperson Andrew Butler

Absent 3 - Member (Vacancy) (Vacancy)

Member John Jones III Member Angela Darby



## Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Amendment No. 3, Measure Y Spending Plan - October 2024 - Facilities Planning and Management

Discussion by Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee of Amendment No. 3, revisions to the Measure Y Spending Plan, as of October 2024, as reflected in Exhibit A, attached and incorporated herein by reference as though fully set forth.

#### Attachments:

24-2330A Presentation - Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Amendment No. 3, Measure Y Spending Plan - October 2024 - Facilities Planning and Management 24-2330A Memorandum - Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Amendment No. 3, Measure Y Spending Plan - October 2024 - Facilities Planning and Management

Preston Thomas, Chief Systems and Services (CSS) gave a presentation of Amendment No. 3, revisions to the Measure Y Spending Plan, as of October 2024, as reflected in Exhibit A, attached and incorporated herein by reference as though fully set forth.

Staff made a presentation on changes being proposed to the spending plan that incorporates direction given by the Facilities Committee. The direction from Facilities Committee was to:

- 1. Move 1025 Second Avenue demolition from the 4th draw to the 2nd draw.
- Review options and impacts to overall current plan.
- Examine solar energy efficiency.
- Review impacts on Overall Major Projects
- 2. Support lead remediation resolution based on spring and summer testing: use \$35 Million from Draw 4.
- Incorporate a plan for resolving the water quality issues based on funding from city, county, state and federal sources
- Review other facilities funding sources including Measures B/J balances to address newly identified needs of the district.

Based on that direction, staff recommended:

- 1. Restructuring bond portfolio of projects for prioritization to address current major project funding needs and
- Maintaining full 10% bond contingency (\$60.7 Million) for potential cost overruns in major projects 2025-2027 or strategic initiatives from 2025-2027.
- And any balance in the contingency be used on other bond priorities in 2028-2030.
- 2. Leverage unstarted and uncommitted funds from Measure B & J, Developer Fees, and Measure AA to support 6 major projects including Transitional Kindergarten (TK) expansion, lead remediation and portable

replacement at aging facilities. Pipe replacement included as appropriate:

- Fremont High School: \$15 Million within budget. Complete remaining work required at Fremont High School which includes deferred maintenance (roofing, elevator, parking lot) and removal of portable/replacement with new modular classrooms)
- McClymonds: \$95.75 Million (includes \$3 Million for turf and track surfacing), new estimate requires additional \$4.5 Million budget increase. Submitted to Division of State Architect (DSA)
- Roosevelt Middle School Modernization. \$91.55 Million. Schematic Design. Phase 1 Construction/Phase 2: Bidding
- Garfield Modernization: \$70.7 Million –likely to need \$87 Million. Mobile Modular costs are expected to go up given demands elsewhere in CA given recent fires in LA.
- Melrose Leadership Academy (MLA) Maxwell (Expansion/Portable Replacement). \$39.5 Million (increase from \$36.5 Million) Schematic Design - Construction Documents.
- Coliseum College Prep Academy (CCPA) (Expansion/Portable Replacement) Schematic Design: \$68 Million
- Washington Child Development Center (CDC) Use of Measure AA: Children's Initiative (\$2 Million) & Other Funding: Total \$3 Million. Conceptual Design and Demonstration
- Elmhurst and Skyline get moved to the 4th draw.
- 3. Ensure that Elmhurst and Skyline receive adequate funding in later phases of Measure Y cycle so that sites can be prepared and shovel ready for future bond elections, honoring commitments to those school communities.
- 4. Ensure that all students have quality facilities and playgrounds while balance of equity projects remain in alignment with facilities education specs. Staff to make every effort to maintain quality as district navigates budget challenges and escalating costs.

Discussion - Members Dawson, Price, Clark, Vice Chairperson Park, Chairperson Butler

Questions from Committee, Pending Responses:

- Committee members asked if children can be moved to another facility instead of purchasing interim housing, now increasing costlier, given high demand caused by fires in Los Angeles.
- Committee members asked about deferring portions of the work for example classroom space versus ancillary space at Garfield Elementary School?

Direction to Committee Chair on Amendment No 3, revisions to the Measure Y Spending Plan as presented. After hearing the presentation by Preston Smith, Chief Systems & Services Officer, and given that the item was not up for a formal vote. an informal vote was held.

Five members, including Member Anana Clark, Member Andrea Dawson, Chairperson Andrew Butler, Vice Chairperson Alexandra Park and Secretary Viola Gonzales, by consensus asked Chairperson Andrew Butler express their concerns directly to the Facilities Committee and Board of Education. Given our commitment to our duties as set by our bylaws in respect to BJY Committee's Oversight role, these are the Committee's concerns regarding the proposed Amendment 3, revisions to the Measure Y Spending Plan:

- 1. Move forward those projects already launched and under contract that are included in Amendment No. 3 Measure Y Plan as proposed.
- 2. Wait to make final re-prioritization decisions until the asset management report regarding vacant properties is completed (first three properties to be completed by April 2025) and reviewed by the committee and the Board, especially with regards to demolition of these vacant properties including Ralph Bunche and 1025 Second Avenue. That report may change the tenor of the discussion and open new options for the district.
- 3. Put hold on the demolition of Ralph Bunch Academy. Until it is clear that there is a well-informed decision being made, the District should wait to commit dollars.
- That decision should include a review of the rationale and risk for reallocating all of the \$15 Million funding for 1025 2nd Ave property and \$4 Million funding for demolition of Ralph Bunche. The committee requests the opportunity to visit the 1025 and Ralph Bunche sites and get all reports related to costs: expenditures, abatement, and other issues. Other considerations include presence of squatters, fire risk and potential impact to nearby students at Dewey and La Escuelita sites.
- 4. Put hold on un-started Solar Projects Phase 2 and 3. Savings = \$8,625 Million (\$3.277 Million + \$5.348 Million) given that PG&E is reevaluating their Net energy Metering (NEM) rate since they are losing money on distributed solar so they need to charge consumers more. The Federal Investment Tax Credit (ITC) program is likely to be eliminated this year and if we want to be sustainable, we can always buy the solar only at the PG&E rate. As projected, it's only a 3-4% return on investment annually and we're probably paying higher interest rates on the debt than that so distributed small scale solar is not a good investment. Energy efficiency and using that money for student-facing improvements would be a better investment.
- 5. Undertake greater scrutiny of Facility and Technology investments, for example, review of projects in the Asphalt Repair and Replacement Pool. Do these projects actually and directly impact playgrounds?
- 6. Undertake greater scrutiny at Garfield, consider undertaking the modernization in two phases.
- 7. Keep the Melrose Leadership Academy (MLA) project at the current budget and use value engineering. Review current MLA project contract that is being present for board approval with an already \$3 Million increase to current budget. Redirect use of \$3 Million developer fees to augment another bond measure project.

Discussion - Members Dawson, Price, Clark, Vice Chairperson Park,

Chairperson Butler

Public Comment - 1. Assata Olugbala, 2. Ben Tapscott

Public Speakers suggested that OUSD look at existing facilities to house students during construction instead of purchasing interim housing as required for Garfield—that this would be a simpler and less expensive option to house children during construction. One example might be Rudsdale. Other comments focused on continuing unmet needs at McClymonds High School.

#### Discussed

#### **Roll Call (Secretary's Observation)**

Member Price is absent at 8:29 P.M.

Present 5 - Member Anana Clark

Member Andrea Dawson Secretary Viola Gonzales

Vice Chairperson Alexandra Park

Chairperson Andrew Butler

Absent 4 - Member (Vacancy) (Vacancy)

Member John Jones III Member Angela Darby

Member Sarah Price



Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Lease-Leaseback Contract - Swinerton Builders, Inc. - Garfield Site Renovation Project- Division of Facilities Planning and Management

Discussion by Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee, of an Award of Bid to, rejection of all other bids, if any, and a Lease-Leaseback Contract by and between the District and Swinerton Builders, Inc., for the latter to provide preconstruction services for the Garfield Elementary School Modernization Project, with work scheduled to commence on March 13, 2025, and anticipated to last until December 31, 2028, in an amount not to exceed \$100,000.00.

Attachments:

24-0419A Measures B, J, and Y Independent Citizens'
School Facilities Bond Oversight Committee Lease-Leaseback Contract – Swinerton Builders, Inc. Garfield Site Renovation Project – Division of Facilities
Planning and Management

Postponed to a Date Certain - To Be Determined

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

This section of the agenda provides an opportunity for a member of the Public, for three minutes per person, or less, depending on the number of speakers, to directly address the Committee on any item of interest to a member of the Public that is not on the current agenda, but is within the subject matter jurisdiction of the Committee. Minutes are not transferrable from speaker to speaker. This item is limited to a total of thirty (30) minutes. The Committee may not discuss or take any action on a non-agenda item not appearing on the posted agenda for this meeting, except the Committee or staff may briefly respond to a statement made or questions posed by a member of the public, as authorized by law. In addition, on their own initiative or in response to questions posed by the public, a member of the Committee or its staff may ask a question for clarification, make a brief announcement, or make a brief report of his or her own activities.

H.-1 **25-0587** 

Public Comment on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Up To 30 Minutes – March 10, 2025

Public Comment on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee - Up To 30 Minutes - March 10, 2025.

1. Assata Olugbala, 2. Ben Tapscott

Presentation/Acknowledgment Made

## I. Introduction of New Legislative Matter

This section of the Agenda is devoted to the introduction of new legislative matter within the subject matter jurisdiction of the committee by a Committee member or Members of the Public.

None

## J. Adjournment

Chairperson	Butler ad	ljourned	the Meeting	ı at	9:07	P.M.

Prepared By:		
Approved By:		