

Oakland Unified School District

Board of Education
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Meeting Minutes Long - Final

Monday, April 8, 2019

6:30 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

Andrea Dawson, Chairperson

Chanu Lee, Vice Chairperson

Saleem Shakir-Gilmore, Secretary

Members: Renee Swayne, Victor Valerio,

Joyce Nilo, Andrew Nelsen, Brendan Havenar-Daughton, Daniel Chesmore

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អ្នកណាដែលត្រូវការសេវាបកប្រែភាសាដោយផ្ទាល់មាត់ ឬជាលាយលក្ខណ៍អក្សរ ឬត្រូវការការជួយសម្រេចសម្រួលយ៉ាងសមរម្យ មួយ ដើម្បីចូលរួមក្នុងកិច្ចប្រជុំសាធារណៈ ត្រូវផ្តល់ដំណឹងទៅកាន់ទីការិយាល័យនៃក្រុមប្រឹក្សាអប់រំ ឱ្យបានចិតសិចពី (72) ម៉ោង មុនកិច្ចប្រជុំ តាមរយៈទូរស័ព្ទលេខ [\(510\) 879-8199](tel:(510)879-8199) ឬតាមរយៈអ៊ីមែល boe@ousd.org ឬទូរស័ព្ទ eTTY/TDD លេខ [\(510\) 879-2300](tel:(510)879-2300) ឬទូរសារលេខ [\(510\) 879-2299](tel:(510)879-2299)។

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A. Call to Order

Chairperson Andrea Dawson called the meeting to order at 6:35 P.M.

B. Roll Call

Present 6 - Member Joyce Nilo
Member Brendan Havenar-Daughton
Member Victor Valerio
Member Andrew Nelsen
Secretary Saleem Shakir-Gilmore
Chairperson Andrea Dawson
Absent 3 - Member Renee Swayne
Member Daniel Chesmore
Vice Chairperson Chanu Lee

C. Adoption of Committee Minutes

None.

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

None.

E. Unfinished Business



E.-1

[19-0458](#)

Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee - 2017-2018 Annual Report - Facilities Staff

Discussion and possible adoption by the Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee of its 2017-2018 Annual Report.

Attachments: [19-0458 Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee - 2017-2018 Annual Report - Facilities Staff](#)

There was no update to the 2017/18 Annual Report. Chairperson Dawson said the work is in progress.

There were no Public comments.

Discussed

 E.-2 **18-2150**

**Measures A, B, and J Independent Citizens' School Facilities Bond
Oversight Committee - Updated Site Visit Schedule**

Discussion and possible adoption by the Measures A, B, and J
Independent Citizens' School Facilities Bond Oversight Committee of its
updated Facility Site Visit Calendar.

Attachments: 18-2150 Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee - Updated Site Visit
Schedule

*David Colbert, Facilities Staff, noted changes to the remaining site visits
schedule for the 2018/19 school year.*

*There were no site visits in February and March. The February schedule will
move to the May 3rd visit. No other changes to the schedule were made.*

There were no Public comments.

Discussed

F. New Business

 F.-1 [19-0589](#)

Facility Site Visit - April 5, 2019

9:00AM

Frick Impact Academy - Intensive Support School Project
2845 64th Avenue
Oakland, CA 94605

Attachments: [19-0589 Facility Site Visit - April 5, 2019](#)

*Frick Impact Academy Project - A new modernization of existing campus
buildings - gym, multi-purpose room, rest rooms, administration offices,
sound system, new marquee, painting of lockers, and new perimeter fencing.*

*Chairperson Dawson reported the new perimeter fencing is in progress.
Structural issues remain with the bleachers.*

There were no Public comments.

Discussed

 F.-2 [19-0675](#)

**Report - Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee - Isom Advisors**

A Report to the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee from Isom Advisors, Inc., on its roles and duties as Financial Advisors on District General Obligation Bonds and of the current status of Measures B and J General Obligation Bonds.

Attachments: [19-0675 Report - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - Isom Advisors](#)

Presentation made by Jon Isom, Managing Partner, Isom Advisors.

Isom talked about bond rating strategy, investor outreach, and Underwriter Request for Proposals. The District plans to issue the remaining series of bonds under the Measure J authorization in May/June 2019 for \$175 Million. The original Measure J Bond was for \$475 Million.

Moody's and Standard & Poors (S&P) Bond Financial Rating System have downgraded the District's rating and will continue evaluating the District closely over the next few months and years. Isom Advisors plans to create a ratings presentation booklet that presents the District in a way that maintains or minimizes the downgrade and looking at purchasing Municipal Bond Insurance on the bonds that may bolster the credit rating of the Bond Series.

The Government Finance Officers Association (GFOA) recommends the use of a Request for Proposal (RFP) process when selecting underwriters to promote fairness, objectivity and transparency. Based on the proposal received, the estimated the reduction in underwriting fees from the RFP process is likely to be in the hundreds of thousands of dollars.

Timeline

Pricing date May 22, 2019

Closing early to mid-June end

There were no Public Comments

Discussed



F.-3

[19-0653](#)

Audit Report - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - Year Ending June 2018

Presentation to the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of the 2017/2018 Measures "B and J" Financial and Performance Audit Report for the Fiscal Year Ending June 2018.

Attachments: [19-0653 Audit Report - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - Year Ending June 2018](#)

Steve McKetty, Moss Adams, reviewed the audit findings.

Moss Adams performed a Compliance Audit for FY 2017/18 on the Measures B & J Bond Funds validating the expenditures were compliant with the specific items listed in the ballot language. McKetty provided an overview of Audit results and specific outcomes

Audit Results

- The ballot language addresses projects at the District and school site levels; however, it is unclear if some expenditures are allowable per the Bond language.*
- The District could not provide adequate documentation to support staff charge allocations the Bond Program.*
- The District was unable to explain a \$19,717.50 discrepancy to the Bond Program when comparing the Labor Distribution Report and the Cost Ledger for FY 2017/18*

Specific Outcomes Included:

- Adherence to design and construction cost budget, schedules and timelines*
- Financial reporting and internal controls*
- Payment procedures*
- Change Orders and claim procedures*
- Building and Procurement Procedures*
- Conflict of Interest Forms for the entire Facilities Management Team*

Brendan Havenar-Daughton asked Facilities Deputy Chief White about the Audit Finding on adherence to construction cost.

White said he does not agree with all the Audit Findings. He spoke to the timeline to complete the audit and staff's capacity to submit documents electronically to auditors (auditor's preferred method). White said he hopes Moss Adams accepts the offer for office space in the Facilities Department and expects next year's audit report to be much cleaner.

Other areas of concern:

*Conflict of Interest Statements not found for some Facilities positions
Excessive charges for services
District construction standards
Documentation retention*

Edgar Rakestraw, Executive Assistant to the Board of Education and District Form 700 Filing Officer, spoke to the Conflict of Interest Statement not found for all Facility staff. He said some positions may have not been covered by the Conflict of Interest Policy. Rakestraw said he received no inquiry from Moss Adams regarding District's Conflict of Interest Policy.

Victor Valero asked about change orders and the timeline for informing the Bond Oversight Committee.

McKetty said it's typically after the change order has processed approved, not before.

Vice President London spoke to any change in the scope of the Committee's charge in future bonds would cause longer committee meetings and the need for a Consent Agenda due to the different bonds the Committee would have oversight over.

Chairperson Dawson asked Vice President London to request the Board review the Board Policy regarding the Committee's charge.

There were no public comments

Discussed

 F.-4

[19-0654](#)

**Report - Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee – Budget to Actual
Expenditures and Cash Flow Projections Through March 31, 2019**

A Presentation to the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of the Measures B and J Budget to Actual Expenditures and Cash Flow Projections through March 31, 2019.

Attachments: [19-0654 Report - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee – Budget to Actual Expenditures and Cash Flow Projections Through March 31, 2019](#)

Michael Ezah made the staff presentation of Measures B & J expenditures for the period of March 1-31, 2019.

- *Ezah's report included updates on the District drawing down the remaining \$175 Million of the \$475 Million of Measure J Bond. The remaining Measure B funds have been allocated for fire alarm repair projects.*
- *Developer Fees*
- *Fund 35 County School facilities Fund, State Matching Funds*

See full report attached.

Discussed

 F.-5

[19-0669](#)

**Deputy Chief of Facilities Planning and Management Report -
April 8, 2019**

Presentation to the Measures A, B, and J Independent Citizens School Facilities Bond Oversight Committee of the Deputy Chief of Facilities, Planning and Management Report for April 8, 2019 - 7-11 Committee Update.

Attachments: [19-0669 Deputy Chief of Facilities Planning and Management Report - April 8, 2019](#)

Timothy White made the presentation.

- *On Friday March 22nd at a Special Meeting of the Facilities Committee,*

the contract for the 7- 11 Committee was reviewed.

- *The recommendation was made to not move forward to full Board.*
- *Facilities Department was advised to put the RFP for 7-11 Committee services back on the street for advertising.*
- *Currently Facilities is in the process of re-advertising and anticipates bringing the results back to a future Facilities Committee for approval and to the Board of Education for final approval. Tentative dates are slated for May / June to have final approvals.*

Chairperson Dawson asked White for an update on several current construction projects

White reported the Glenview Elementary new construction project is on schedule for the contractor to turn the building over to the District January 2020.

Fremont High School project is getting ready to start phase 3 and 4 with a completion date of 2021.

Saleem Shakir Gilmore asked about the 7-11 Facilitator's contract not being approved by the Facilities Committee.

White said there were objections from audience members that the firm had an affiliation with charter schools which may have tipped the scale unfairly and the Facilities Committee wanted of a more local presence for the type of service.

There were no Public Comments.

Discussed

F.-6 [19-0670](#)

Report - Measures A, B and J Independent Citizens' School Bond Oversight Committee Liaison - Facilities Committee Chairperson

A Report to the Measures A, B and J Independent Citizens' School Facilities Bond Oversight Committee from the Board's Liaison to the Committee, previewing the Agenda for the Facilities Committee Meeting of April 26, 2019.

Vice President Jody London made the presentation.

Vice President London commented on the 7-11 Contract and why the Facilities Committee did not recommend it to the Board of Education for approval. The proposal included services in the Scope of Work that were not included in the RFP so the Committee did not feel comfortable moving forward with the contract.

Upcoming District Timelines

- *At the May Facilities Committee Meeting there will be an update on the*

Facilities Master Plan.

- *The District must decide by the end of June whether it will pursue a Facilities Bond in March or November 2020.*

There were no Public Comments.

Discussed

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

G.-1 [19-0674](#)

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - April 8, 2019

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - April 8, 2019.

There were no Public Comments.

H. Introduction of New Legislative Matter

None.

I. Adjournment

Chairperson Dawson adjourned the meeting at 8:59 P.M.

Prepared By: _____

Approved By: _____