

Oakland Unified School District

Board of Education
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Meeting Minutes Long - Final

Monday, October 9, 2017

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, (Vacancy),

Joyce Nilo, Shiree Teng, Brendan Havenar-Daughton, (Vacancy)

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អ្នកណាដែលត្រូវការសេវាបកប្រែភាសាដោយផ្ទាល់មាត់ ឬជាលាយលក្ខណ៍អក្សរ ឬត្រូវការការជួយសម្រេចសម្រួលយ៉ាងសមរម្យមួយ ដើម្បីចូលរួមក្នុងកិច្ចប្រជុំសាធារណៈ ត្រូវផ្តល់ដំណឹងទៅកាន់ទីការិយាល័យនៃក្រុមប្រឹក្សាអប់រំ ឱ្យបានចិតសិចពី (72) ម៉ោងមុនកិច្ចប្រជុំ 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 6:41 P.M.

B. Roll Call

Present 5 - Member Joyce Nilo
Member Renee Swayne
Member Saleem Shakir-Gilmore
Vice Chairperson Chanu Lee
Chairperson Andrea Dawson
Absent 2 - Member Brendan Havenar-Daughton
Member Shiree Teng

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

None.

D. Adoption of Committee Minutes



[17-2111](#)

Minutes - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - September 12, 2017

Approval by the Measures A, B, and J Independent Citizens' School Facilities
Bond Oversight Committee of its Meeting Minutes of September 12, 2017.

Attachments: [17-2111 Minutes - Measures A, B, and J Independent
Citizens' School Facilities Bond Oversight Committee -
September 12, 2017](#)

**A motion was made by Member Swayne, seconded by Vice
Chairperson Lee, that this Minutes, Committee be Adopted . The
motion carried by the following vote.**

Aye: 5 - Member Joyce Nilo
Member Renee Swayne
Member Saleem Shakir-Gilmore
Vice Chairperson Chanu Lee
Chairperson Andrea Dawson

Absent: 2 - Member Brendan Havenar-Daughton
Member Shiree Teng

Non-voting: 0

Enactment No: 18-0179



[17-2168](#)

**Minutes - Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee - May 8, 2017**

Approval by the Measures A, B, and J Independent Citizens' School Facilities
Bond Oversight Committee of its Meeting Minutes of May 8, 2017.

Attachments: [17-2168 Minutes - Measures A, B, and J Independent
Citizens' School Facilities Bond Oversight Committee - May
8, 2017](#)

**A motion was made by Chairperson Dawson, seconded by Member
Shakir-Gilmore, that this Minutes, Committee be Adopted . The motion
carried by the following vote.**

Aye: 5 - Member Joyce Nilo
Member Renee Swayne
Member Saleem Shakir-Gilmore
Vice Chairperson Chanu Lee
Chairperson Andrea Dawson

Absent: 2 - Member Brendan Havenar-Daughton
Member Shiree Teng

Non-voting: 0

Enactment No: 18-0180

E. Unfinished Business



[17-0716](#)

**Report - Measures A, B, & J Independent Citizens' School
Facilities Bond Oversight Committee 2015/2016 Audit Report**

Re-presentation to the Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee of the 2015/2016 Measures "B & J" Financial and Performance Audit Report for the Fiscal Year Ending June 2016.

Attachments: [17-0716 Report - Measures "A, B, & J" Independent Citizens' School Facilities Bond Oversight Committee 2015/2016 Audit Report](#)

Eugene Yano, Yano Accountancy, made the presentation to the Committee.

Auditors' Responsibility

To express an opinion on this financial schedule based on the Audit. The Audit was conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that Auditors plan and perform the audit to obtain reasonable assurance about whether the financial schedule is free from material misstatement. Yano accountancy believes the audit evidence obtained is sufficient and appropriate to provide a basis for its audit opinion.

Auditor's Opinion

The financial schedule referred to presents fairly, in all material respects, the combined Bond Measures B and J revenues, expenditures and changes in fund balances for the year ended June 30, 2016 in accordance with accounting principles generally accepted in the United States of America.

The Audit Report stated there were no findings this year that required responses from District management.

Chairperson Dawson reminded the Auditor that the Committee did not receive the Audit Report from the Auditors by the required due date of March 31st.

Public Comments

None.

Discussed



[17-0484](#)

**Measures A, B, & J Independent Citizens' School Facilities Bond
Oversight Committee - 2015/2016 Annual Report**

Presentation by the Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee of its 2015-2016 Annual Report to the
Public and the Board of Education.

Attachments: [17-0484 Measures A, B, & J Independent Citizens' School
Facilities Bond Oversight Committee - 2015/2016 Annual
Report](#)

*Chairperson Dawson led the conversation on this item. Dawson said the
Committee felt it was important to put the statement of contingencies in the
Financial and Performance Audit Report from the Committee.*

The statement in the 2015/2016 Annual Report reads:

“ 3. Contingencies

*On April 6, 2017, the United States Attorney for the Northern District of
California issued a criminal indictment for the conspiracy to defraud the
United States of America against two officers of a construction contractor on
projects funded by Measure B and J. The indictment does not directly involve
any projects funded by Measure B or Measure J. However, the indictment
may result in suspension of the contractor from performing any work beyond
what has already been agreed to by contract and/or change order. OUSD is
determining what actions should be taken as a result of this indictment.
OUSD cannot determine the financial impact, if any on Measure B and J
balances as June 30, 2016 at this time.”*

*This statement appears on page 4 of the Committee's 2015/2016 Annual
Report.*

Public Comments

None.

**A motion was made by Chairperson Dawson, seconded by Member
Swayne, that this Motion be Adopted. The motion carried by the
following vote.**

Aye: 5 - Member Joyce Nilo
Member Renee Swayne
Member Saleem Shakir-Gilmore
Vice Chairperson Chanu Lee
Chairperson Andrea Dawson

Absent: 2 - Member Brendan Havenar-Daughton
Member Shiree Teng

Non-voting: 0

Enactment No: 17-1424



16-0191

**Discussion - Measures A, B, & J Independent Citizens' School
Facilities Bond Oversight Committee - Channels of Communication**

A discussion by Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee of the development of channels of communication, including social media, with Oakland taxpayers that encourages transparency about the Committee's work.

Attachments: 16-0191 OUSD Facilities Department Website
16-0191 OUSD Measures A, B, & J Independent Citizen
Bond Oversight Committee (CBOC) Website

Valerie Goode, Deputy Chief of Communications and Public Affairs, made the staff presentation.

Goode talked about expectations of the Committee and the Communications Staff's ability to meet those expectation.

Committee Member Shakir-Gilmore shared some of his ideas around external communications for the Committee.

- Communication from the Committee to the community and what is shared regarding Facility projects*
- Improvements in accessibility to the Facilities and CBOC web page*
- A Facebook Fan Page*
- The Committee working independently of the District to get the good news out to the community*
- Communicating with the community in real time*

Goode talked about some of the constrains the department faces due to a limited budget and a smaller staff. She said the Communications Department handles all communication for the District and has no additional funds to pay for newspaper ads. She said most communication is in an electronic format via social media, OUSD website, email and newsletters. She said the Communications Department would like to promote and share the good news that is taking place in the Facilities Department.

Goode talked about posting photos from site visits to social media immediately rather than the delays experienced now.

Vice Chair Lee asked about the protocol between Facilities and Community Engagement?

Goode said the Community Engagement Team supports all Facility projects between \$5-7 million. That support includes working with project managers to ensure communities undergoing projects are informed; facilitate community meetings; and meeting with staff to help systemize projects. Projects that fall below the \$5-7 million category the team has developed templates for project managers to showcase what's going on in that range.

Committee Member Swayne talked about large signs being posted in front of new projects

Cesar Monterosa said in the past it has been a joint effort between Facility Department creating the language and Communications Department following-up for colors and content. He said typically, the large signs goes up first and remains the duration of a project

*Public Comments
None.*

Discussed



[17-1752](#)

**Measures A, B, & J – Budget to Actual Expenditures, Cash Flow
Projections Through August 31, 2017**

Presentation to the Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee of the Measures A, B & J Budget to Actual Expenditures, and Cash Flow Projections through August 31, 2017.

Attachments: [17-1752 Measures A, B, and J – Budget to Actual Expenditures, Cash Flow Projections Through August 31, 2017](#)

Michael Ezah, Staff Accountant made the presentation of Measures B & J Bond Funds through August 31, 2017.

Ezah reported on the following:

- Monthly expenditures to date*
- Master Plan detail by draw down*
- Measure J Spending Plan by sites*

Committee Member Swayne talked about Measure J funds being used for a roofing replacement project at District Warehouse located at 900 High Street. Dawson noted there is language in the Measure J Bond that gives the District leeway to do small maintenance projects.

Cesar Monterosa said no funds to date have been spent on the project. Student textbooks and furniture are stored in the warehouse. He said if the leak is not fixed, the District might lose more in books and furniture and other school equipment. Measure J does allow the District to do small projects on non-school sites the District deems a high priority.

Chairperson Dawson asked about the category label for restricted use of funds. The Central office has \$6.5 million earmarked for temporary housing for the Administration building at 1000 Broadway. She asked if the rent at 1000 Broadway is being paid out of Measure J Bond funds?

Ezah said currently the rent is being paid out of Fund 35 until the end of January in 2018. After that date, the \$6.5 million earmarked for temporary housing for Central Office will be used to pay the rent at 1000 Broadway until the lease expires June 2019.

Vice Chair Lee asked when the lease expires at 1000 Broadway in June 2019, will the lease payment be paid out of Measure J?

Ezah said the new Administration building is expected to be completed before the lease expires June 2019.

Discussed



[17-1751](#)

**Report - 1025 2nd Avenue/Dr. Marcus Foster Education
Leadership Complex Project**

A Report to the Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee by Deputy Chief for Facilities or designee regarding progress on the 1025 2nd Avenue/Dr. Marcus Foster Education Leadership Complex Project.

Attachments: [17-1751 Report - 1025 2nd Avenue/Dr. Marcus Foster Education Leadership Complex Project](#)

Cesar Monterosa, Director of Facilities, made the staff presentation.

Monterosa provided an update on the progress of the project.

- Ongoing Meetings with the City of Oakland to expedite design approval*
- Two firms submitted bids for the LeaseLeaseback portion of the project*
- Proposals were scored and notices will go out to vendors this week*
- Staff conducting interviews and will select one firm to begin negotiations for the lease portion of the contract*

Chairperson Dawson asked if the Board has been presented the agreement to certify to the State they will not have any students occupy the buildings for student/teacher related activities, a requirement for not going through the State for approval?

Monterosa said the two building were never Department of State Architecture (DSA) or Field Act Compliant buildings.

Edgar Rakestraw, Executive Assistant to the Board, said staff assured the Board that the District is in compliance with all appropriate building regulations of the State and City.

Committee Member Swayne said she has concerns regarding the projected August 2019 completion date when the work has not yet started.

Monterosa said the permitting process has started with the City. The project is divided into 2 components – permitting and structural. The goal is to have the project completed by Summer 2019. To aid in meeting the targared completion date, contractors are being brought on sooner. The vendor is in place and staff anticipates having them on board before the end of the year.

Dewey High Schoolis a difference process going through DSA. This project may extend beyond Summer 2019.

Discussed



[17-1753](#)

Report - Fremont High School Project

A Report to the Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee by Deputy Chief for Facilities or designee regarding progress on the Fremont High School Project.

Attachments: [17-1753 Report - Fremont High School Project](#)

Staff presentation made by Cesar Monterosa, Director of Facilities.

Monterosa said staff is working to get the Department of State Architecture (DSA) approval in the coming months to start increment 1, parking lot and library entrance.

-The lease portion of the contract has been negotiated with the vendor and bids are expected shortly

-The project is \$3 million over budget. Staff is looking at total budget to ensure there are not more projects than funds.

-RFQ out for increment #2, new two story building. Increment #2 has three District Pathways. Working with Career Technical Education programming to help leverage State funding with local funding.

Public Comments

None.

Discussed



[17-0643](#)

Report - Central Kitchen Project & Glenview Elementary School Project

A Report to the Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee by Facilities Staff regarding progress on the new Central Kitchen Project and the Glenview Elementary School Project.

Attachments: [17-0643 Report - Central Kitchen Project & Glenview Elementary School Project](#)

Cesar Monterosa made the staff presentation.

-Contract negotiations completed with contractor

-Contractor's contract on Board Agenda approval at the October 11th Board Meeting. Approval enables the department to issue the Notice to Proceed one week later

-Project budget \$47 million – Measure J funding – once Board approved, the project will be multi-funded

Public Comments

None.

Discussed

F. New Business



[17-2110](#)

Report - District Energy Efficiency and Solar Projects - Deputy Chief of Facilities

A Report to the Measures A, B, & J Committee from the Deputy Chief of Facilities or designee regarding District's energy efficiency program and solar projects.

Attachments: [17-2110 Report - District Energy Efficiency and Solar Projects - Deputy Chief of Facilities \(December 11, 2017\)](#)

Staff presentation made by Renee LaFrenz, District Energy Manager.

- To date 17 schools are participating
- 10.72 GWh of electricity generated to date
- \$1.9 million of avoided electricity
- \$3.14 million in rebates received
- Energy usage is down
- Energy costs are slightly up due to rate hikes

La Escuelita Education Center includes the following design: solar panels, an evaporative cooling system, a rainwater aqueduct system, thermal mass construction, daylighting orientation and displacement ventilation. Energy bills are about \$48,000. The building was designed to be grid neutral with the exception of KDOL and the Health Clinic. The building is being used more than originally planned.

OUSD Energy and Water Plan

The OUSD Energy and Water Plan was approved by the OUSD Board of Education in May 2007 as a means to save money on utility bills, the Plan calls for replacing inefficient equipment, adopting sustainable design guidelines and providing training for staff and administrators.

Swayne asked about the energy savings and if the District sells the energy back or uses it?

LaFrenz said the District uses part of the energy and the other part to pay the difference on the electrical bill between what the District generates and the additional that is required.

Public Comments

None.

Discussed

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

[17-2112](#)

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 - October 9, 2017

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 - October 9, 2017

None.

H. Introduction of New Legislative Matter

None.

I. Adjournment

Prepared By: _____

Approved By: _____