

# Oakland Unified School District

Board of Education  
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## **Meeting Minutes Long - Final**

**Wednesday, September 7, 2016**

**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**

*Ariel Bierbaum, Chairperson*

*Andrea Dawson, Vice Chairperson*

*Farrah Wilder, Secretary*

***Members: Renee Swayne, Chanu Lee, Gerald Green, Joyce Nilo, Shiree Teng,  
(Vacancy)***

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**A. Call to Order**

*Chairperson Ariel Bierbaum called the meeting to order at 6:32 P.M.*

**B. Roll Call**

**Present** 6 - Member Joyce Nilo  
Member Chanu Lee  
Chairperson Ariel Bierbaum  
Vice Chairperson Andrea Dawson  
Member Farrah Wilder  
Member Shiree Teng  
**Absent** 3 - Member Renee Swayne  
Member Gerald Green  
Member [Vacant]

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

*None.*

**D. Adoption of Committee Minutes**

 [16-1997](#)

**Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - Minutes - August 17, 2016**

Approval by the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of its Meeting Minutes of August 17, 2016.

*Chairperson Bierbaum stated that the memo sent by Counsel should be part of the formal record; that it was not in the Minutes from the last meeting although it was discussed.*

*Edgar Rakestraw, Executive Assistant to the Board, asked was the memo distributed during the meeting? Mr. Rakestraw said he will say "Yes" pending a review of the tape of that meeting.*

*Chairperson Bierbaum asked what is the best way to get things distributed to the Committee before the meeting onto the agenda.*

*Rakestraw said documents should be distributed first to the Board Secretary's office and staff will make it public as part of the Minutes and put on the website.*

*Facilities Deputy Chief Dominguez recommended that based on video that it was distributed during the meeting, confirm and follow up with staff and bring it up at a later meeting.*

*Chairperson Bierbaum said okay for this meeting. But it is possible that our receipt of that memo might have violated policy but is concerning.*

*Committee Secretary Wilder said staff was copied on Board Counsel's email to CBOC. Rakestraw said the best way is through a controlled distribution process. The best way to be in compliance with the Brown Act is to agendaize the item and have the supporting documentation part of the agenda when posted. Will be put in the record for the next meeting.*

*Chairperson Bierbaum said the Committee has Secretary that is taking notes that seem to be more thorough. How can these notes be incorporated into the formal minutes?*

*Rakestraw said there is one set of minutes. Staff can collaborate with Committee Secretary on the preparation of minutes. Linda Floyd is point person for that.*

*Vice Chair Dawson said if Minutes are adopted, the Committee will not get to take advantage of the Committee Secretary's edits? Would that be correct?*

*Rakestraw said the Committee can make it conditional adoption of Minutes or roll over the Minutes until chance to determine facts.*

*Vice Chair Dawson requested, and Committee postponed, consideration of adoption of these Minutes until next meeting.*

*There were no Public Comments.*

**Postponed to a Date Certain**

## **E. Unfinished Business**

 [16-1858](#)

**Report - Dr. Marcus Foster Education Leadership Campus Project**

Presentation of a Report from staff to the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee regarding whether any Bond funds - Measures A, B or J, - have been used or are projected or scheduled for use, if any, in the construction of the proposed Dr. Marcus Foster Education Leadership Campus.

**Attachments:** [16-1858 Report - Dr. Marcus Foster Education Leadership Campus Project](#)

*Deputy Chief Dominguez said the District is looking into getting an architect to review and access the 1025 2nd Avenue Administration Building and the Ethel Moore Building to develop renderings. The purpose is to refurbish, not to demolish and not to build new, as planned in 2014. Tomorrow will begin the work to fix 1025 2nd Avenue; water damage, vandalism, and abatement work. Also District is looking at other office space in the City of Oakland.*

*Chairperson Bierbaum asked if internal staff or outside persons were helping the District with their commercial property search and if there have been additional expenditures on this search.*

*Dominguez said internal staff has been doing this work.*

*Chairperson Bierbaum said Board Liaison to the Committee, Aimee Eng, will be at next meeting and will provide more information about the Board's approach.*

*Dominguez said there are two scenarios; what does \$49 Million get the District as an extreme makeover and what does \$75 Million get the District? We are going to look at both scenarios.*

*Vice Chair Dawson wants to know how did these funds get redirected from schools? (Dawson distributed a hand-out to Committee Members). Dawson said in 2014 Board Policy 7122 was about prioritizing bond. \$49 Million wasn't in original bond for Measure J. Vice Chair Dawson made reference to several pages of the hand-out with questions to Dominguez.*

*Page 5 - Regarding safety and compliance. So many schools in the District don't look great. Compare Montclair to Manzanita Seed.*

*Page 5 v Page 6 – To provide updates and reports to the Committee. Dawson wants Dominguez to talk to staff to see how we got to where we are. Dawson asked Dominguez to share the concerns with Bond Counsel and have staff come back to the Committee.*

*Page 6 – The role of Bond Oversight Committee.*

*Page 16 - The Accountable District Committee Members listed is the facilities piece.*

*Page 18/19 – Dawson said she looked at the website for information on the decision process and Frequently Asked Questions. She said there are Minutes for the February 26th meeting, but no sign in sheets.*

*Page 20 – Criteria - What Measure J can be used for - Improvement and facilities. How does the Committee know the Bond has spent according to purposes? This references our monthly Committee Meetings? But our committee may not have known that all of these*

meetings were happening. There is no attendance sign in sheet on the web. Highlighted categories. Would like to see the sign-in sheets for all meetings.

Page 24 - next steps from this meeting on March 12 was field trip to Measure ABJ Bond Committee, did they come to the meeting and present changes to funding? There were two more meeting. There are no Minutes or sign-sheets.

Page 30, the original policy 7112 District proposed to put a committee together under Ed Code 17390. Dawson wanted to know did this committee convene?

Page 31 - A priority list will be made public at a Regular Board Meeting by June 30th and annual updates. Education Code Section 17390 is attached, it also said this committee would be kept abreast of list of surplus space and real estate acceptable to the community. In March the District made an offer to purchase downtown property and wants to know if an offer was made for Administration and the funding source.

The Manzanita Seed and Main projects were not done with bond funds. Those were paid for with developer fees and deferred maintenance. Staff found one classroom being used as storage that could be used. TK kids to CDC had two empty classrooms and that was the exact amount needed.

On other item, Marcus Foster Education Leadership Campus (ELC) in general, those are the updates we have so far, will provide another update on ELC.

Chairperson Bierbaum said she will make sure to have a more detailed discussion at the next Committee Meeting about Bond priority. Also connected to ELC. There are questions that predate Joe. It's helpful for us to get our questions answered earlier in the year in time for us to draft our Annual Report.

Committee Member Nilo said she is lost in what our questions are and what remains left unanswered. Suggest working with staff to track the questions.

Committee Member Shiree Teng wants to know if the April 1st field trip happened?

There were No Public Comments.

**Discussed**

### Roll Call (Secretary's Observation)

Committee Member Green present at 6:44 P.M.

- Present** 7 - Member Joyce Nilo  
Member Chanu Lee  
Member Gerald Green  
Chairperson Ariel Bierbaum  
Vice Chairperson Andrea Dawson  
Member Farrah Wilder  
Member Shiree Teng
- Absent** 2 - Member Renee Swayne  
Member [Vacant]

[16-0178](#)

**Report - Construction Management Firm - Request For Proposals**

A Report to the Measures A, B, and J Independent Citizens' Facility Bond Oversight Committee from the Deputy Chief, Facilities, Planning and Management, on the status of District's Request for Proposals for Construction and Facilities Program Management.

*Deputy Chief Dominguez said construction management firms were interviewed today and interviewed 4 program management firms last week. Expect 3 weeks for reference checks, look at fee proposals and negotiate before the process will be finalized*

*Next steps*

*Dominguez said to submit finalist to Superintendent and to the Board of Education for approval. Program Management firm (PM) will assist facilities leadership and administration with overseeing Construction Management firms(CM). One PM and 2-3 CM firms as a pool and rotate bond projects throughout the district.*

*There were not Public Comments.*

**Discussed**

**F. New Business**



 [16-1994](#)

**Report - 2016 Back to School Summer Projects - Facilities Department**

A Report to the Measures A, B and J Independent Citizens' School Facilities Bond Oversight Committee by the Deputy Chief for Facilities on the 2016 Back to School Summer Projects.

**Attachments:** [16-1994 Report - 2016 Back to School Summer Projects - Facilities Department](#)

*Deputy Chief Dominguez reported on the Back to School update.*

*Cesar Monterrosa, Facilities Project Manager, reported there were 36 projects including the water intrusion project at Lincoln. Projects included restroom renovations and energy efficiency (i.e. lighting and boiler systems). Some were funded through grants and Prop 39. It was a great summer for the Facilities Department and the District. The costs range from \$23,000 at Arroyo Viejo to \$43M for the Glenview Project and all*

*Committee Member Green complimented staff on the clear format of the Back to School Report provided to*

*Committee Members at the last Committee Meeting.*

*Monterrosa said the format was developed for communicating with site administrators and the color coding made it easy to read.*

*Committee Member Teng said the report is great. Teng asked Monterrosa if all projects were completed on time?*

*Monterrosa said "yes". He said 12 projects went beyond start of school, i.e. Glenview. Site is now empty, easy.*

*Committee Member Teng reported the Sunday before school started driving by Edna Brewer workers were all out there working to lay down artificial turf. Then it was done but don't know how late worked. Looks nice, got it done.*

*Chairperson Bierbaum complimented staff also. She reported the financials are not ready yet, but will be discussed in more detail when they are. Staff -. Biggest completed was Greenleaf at Whittier gym/cafeteria and library classroom will be completed this Fall. Ribbon cutting will be November 10th. Committee Members will be invited.*

*There were not Public Comments.*

**Discussed**

 [16-1995](#)

**Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - Site Visit Schedule - 2016/2017 School Year**

Adoption by the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of proposed Site Visits Schedule for the 2016/2017 school year.

**Attachments:** [16-1995 Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - Site Visit Schedule - 2016/2017 School Year](#)

*Chairperson Bierbaum reported Facility Site Visit is Friday, October 7th is to Greenleaf. Chairperson Bierbaum said she will check with staff why there are no March or April Site Visits?*

*Maria Denning said staff tried to put together the most successful summer projects that were completed starting in May or June, large ones that just got started and will be exciting things for us to look at.*

*Committee Secretary Wilder asked why Hoover Elementary not on the schedule? She said Committee Members expressed concerns about this school.*

*Chairperson Bierbaum said Hoover received Measure B funds in 2008/2009. The Committee determined that for our official Site Visits, we should be looking at Measure J projects for our current oversight. We have expressed to staff importance of prioritizing safety concerns.*

*Vice Chair Dawson said she will continue to ask about reprioritization of Bond Funds and why Hoover doesn't meet Columbine standards. Dawson said she visited Hoover with a walk through with the Custodian and thinks it's a pressing safety concern. This will be a question for Bond Counsel as to why it didn't make the list and there is still work to be done at there.*

*Committee adopted the site visitation schedule.*

*Chairperson Bierbaum said we have two vacancies on our committee. Cesar Escalante had to resign because he became an employee of the District.*

*Chairperson Bierbaum encouraged other Committee Members to spread the word.*

*There were no Public Comments.*

**A motion was made by Member Teng, seconded by Chairperson Bierbaum, that Committee's 2016-2017 Site Visit Schedule be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Member Joyce Nilo  
Member Chanu Lee  
Member Gerald Green  
Chairperson Ariel Bierbaum  
Vice Chairperson Andrea Dawson  
Member Farrah Wilder  
Member Shiree Teng

**Absent:** 2 - Member Renee Swayne  
Member [Vacant]

**Non-voting:** 0

Enactment No: 16-1416

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

### 16-1996 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 - September 7, 2016

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 - September 7, 2016.

*There were no Public Comments.*

**No Comments**

## H. Introduction of New Legislative Matter

*There was no Introduction of New Legislative Matter.*

## I. Adjournment

*Chairperson Bierbaum adjourned the meeting at 7:35 P.M.*

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

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