

Oakland Unified School District

Board of Education
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Meeting Minutes Long - Final

Tuesday, November 19, 2019

6:30 PM

**Committee Room, 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

Saleem Shakir-Gilmore, Vice Chairperson

Tina Longfield, Secretary

Members: Renee Swayne, Victor Valerio, Andrew Nelsen, Daniel Chesmore, Andre Spearman, (Vacancy)

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

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A. Call to Order

Chairperson Andrea Dawson called the meeting to order at 7:00P.M.

B. Roll Call

- Present** 6 - Member Renee Swayne
Secretary Tina Longfield
Member Victor Valerio
Member Andre Spearman
Vice Chairperson Saleem Shakir-Gilmore
Chairperson Andrea Dawson
- Absent** 3 - Member (Vacancy) (Vacancy)
Member Andrew Nelsen
Member Daniel Chesmore

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

The Committee considered Legislative File 19-2403 for discussion first. The remainder of the Agenda was considered in the order as printed.

D. Adoption of Committee Minutes



D.-1

[19-2428](#)

Minutes - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - October 15, 2019

Adoption by the Measures A, B, & J Independent Citizens' School Facilities Bond
Oversight Committee of its October 15, 2019 Meeting Minutes.

Attachments: [19-2428 Minutes - Measures A, B, and J Independent
Citizens' School Facilities Bond Oversight Committee -
October 15, 2019](#)

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

- Aye:** 6 - Member Renee Swayne
Secretary Tina Longfield
Member Victor Valerio
Member Andre Spearman
Vice Chairperson Saleem Shakir-Gilmore
Chairperson Andrea Dawson

Absent: 3 - Member (Vacancy) (Vacancy)
Member Andrew Nelsen
Member Daniel Chesmore
Enactment No: 19-1742

E. Unfinished Business



E.-1

[19-0653](#)

Measures B and J Performance Audit Report - Year Ending June 2018

A discussion, review by the Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee of the 2017-2018 Moss Adams Performance Audit of Measures B & J Bond Fund findings, and District responses thereto.

Attachments: [19-0653 Measures B and J Performance Audit Report - Year Ending June 2018 \(10/23/19\)](#)
[19-0653 Letter to Board - 17/18 Measures B & J Performance Audit \(11/19/19\)](#)

Chairperson Dawson reported that she delivered the Performance Audit Report and a letter from the Committee to the Board of OUSD and Facilities Management. Further, she reported that Facilities Management recognized the receipt of the letter and the open items identified will be tracked and reported on by fiscal year 2019 Auditor.

Vice Chairperson Shakir Gilmore pointed out that the Moss Adams Performance Report identified weaknesses that relate to the lack of formal decision processes at OUSD on whether expenditures are appropriate to expense to Measures B and J Bonds.

Chairperson Dawson requested this item stay on our agenda so that it serves as a placeholder for updates from either the fiscal year 2019 Auditor or Facilities Management on how to close out identified comments or weaknesses.

Discussed

F. New Business

F.-1

[19-2426](#)

Measures B and J Bond Expenditures - General Counsel

A discussion with the Measures A, B, and J Committee by District General Counsel, Joshua Daniels, of the process for deciding what expenditures are charged to Measures B and J Bond funds.

Joshua Daniels, OUSD General Counsel, provided an update to the Committee.


Daniels said that he recently instituted semi-weekly meetings with Facilities Management to discuss project lists as part of the decision process for which expenditures are charged to Measures B and J Bond funds. General Counsel Daniels also commented that sometimes expenditures might not be "illegal" but they might not be part of a specific project list.

Member Valerio and Spearman specifically asked about Broadway 1000 Rent that was charged to the Measure J Bond.

General Counsel Daniels responded by pointing members to the Board of OUSD's response to the most recent Grand Jury Report.

Secretary Longfield commented that bond language that allows for every/any expense to be allocated from bond funds is a significant concern for taxpayer advocacy and she would like to see a more specific project list for any future contemplated bond language.

Discussed

 F.-2

[19-2403](#)

**Report - Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee - Budget to Actual
Expenditures and Cash Flow Projections Through June 30, 2019**

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 June 30, 2019.

Attachments: [19-2403 Report - Measures A, B, and J Independent
Citizens' School Facilities Bond Oversight Committee -
Budget to Actual Expenditures and Cash Flow Projections
Through June 30, 2019 \(11/19/19\)](#)
[19-2403 Report - Comparison Variances for Measure B and
J \(11/19/19\)](#)

Facilities staff member presented attachments.

*Member Spearman posed a question about a "consultant" line item for
Glenview project (attachment), which revealed the expense was related to
crossing guards provided by the of Oakland City at the Glenview site for the
safety of students who get picked up by a bus and transported to an
alternative school while Glenview is under construction.*

*Secretary Longfield posed a question about a "main construction" line item
for "The Central Kitchen", which was revealed by staff that the expense was
related to work done at Cole in 2015 to provide interim housing of staff at
Foster (which was the facility previously at "The Central Kitchen" site).*

Chairperson Dawson posed a question on Bond Contingency line item.

Discussed

 F.-3

[19-2404](#)


**Report - Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee - Budget to Actual
Expenditures and Cash Flow Projections Through September 30,
2019**

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 September 30,
2019.

Attachments: [19-2404 Report - Measures A, B, and J Independent
Citizens' School Facilities Bond Oversight Committee -
Budget to Actual Expenditures and Cash Flow Projections
Through September 30, 2019 \(11/19/19\)](#)
[19-2404 Report - Comparison Variances for Measure B and
J \(11/19/19\)](#)

*Facilities staff made the presentation to the Committee of expenditures
ending September 30, 2019.*

Discussed

 F.-4

[19-2289](#)

General Services Agreement – Eide Bailly, LLP - 2018-2019 Audit Facilities Bond Fund Programs and Account Groups - Division of Facilities Planning and Management

Approval by the Board of Education of Resolution No. 1920-0042, Award of General Services Agreement on behalf of the District to Eide Bailly, LLP*, Oakland, CA, for the latter to perform the 2018-19 Fiscal Year of all capital bond fund programs and related account groups under the jurisdiction the District, aka Facilities Planning & Management Financial & Performance Bond Audit Project, in the amount of \$245,000.00, as the selected consultant and authorizing the President and Secretary of the Board to sign the Agreement for same with said consultant with work scheduled to commence on December 12, 2019, and scheduled to last December 30, 2020, pursuant to the Agreement.

*Consultant was selected based on demonstrated competence and professional qualifications (Government Code Section 4526)

Resource Code-Site No.: 9650 918

Funding Source: FUnd 21 Measure J


Attachments: [19-2289 General Services Agreement – Eide Bailly, LLP - 2018-2019 Audit Facilities Bond Fund Programs and Account Groups - Division of Facilities Planning and Management \(11/15/19\)](#)

Tadashi Nakagedawa, Acting Deputy Chief, Facilities Planning and Management, reported that this Eide Bailly contract will be presented at the OUSD Board Meeting tomorrow for approval.

Chairperson Dawson commented that CBOC had representation on the Auditor Interview Committee. Further, she commented, that this type of representation is part of the new language that CBOC has proposed to the Board of OUSD for future bonds.

Discussed

Enactment No: 19-1750

 F.-5

[19-2229](#)

**General Services Agreement – Eide Bailly, LLP - 2017-2018 Audit
Facilities Bond Fund Programs and Account Groups - Division of
Facilities Planning and Management**

Approval by the Board of Education of Resolution No. 1920-0043, Award of General Services Agreement on behalf of the District to Eide Bailly, LLP*, Oakland, CA, for the latter to perform the 2017-18 Fiscal Year of all capital bond fund programs and related account groups under the jurisdiction the District, aka Facilities Planning & Management Financial & Performance Bond Audit Project, in the amount of \$18,000.00, as the selected consultant and authorizing the President and Secretary of the Board to sign the Agreement for same with said consultant with work scheduled to commence on December 12, 2019, and scheduled to last April 30, 2020, pursuant to the Agreement.

*Consultant was selected based on demonstrated competence and professional qualifications (Government Code Section 4526)

Resource Code-Site No.: 9650-918

Funding Source: Fund 21, Measure J

Attachments: [19-2229 Agreement for Consulting Services - Eide Bailly, LLP - Financial Bond Audit Project - Division of Facilities Planning and Management \(11/15/19\)](#)

Tadashi Nakagedawa, Acting Deputy Chief, Facilities Planning and Management, reported that this Eide Bailly contract will be presented at the OUSD board meeting tomorrow for approval.

Vice Chairperson Shakir Gilmore asked when this audit is expected to be complete. CBOC will look for an update on timeline for the FY17-18 financial audit at the next meeting.

Discussed

Enactment No: 19-1749

 F.-6

[19-2051](#)

7-11 Committee Update - Facilities Planning and Management

An update to the Facilities Committee from the Deputy Chief Facilities, Planning and Management of 7-11 Committee Meetings.

Attachments: [19-2051 7-11 Committee Update - Facilities Planning and Management \(1/13/20\)](#)

Tadashi Nakagedawa, Acting Deputy Chief, Facilities Planning and Management, provided an update on the 7-11 Committee Meetings (see attachment).

Chairperson Dawson commented that the 7-11 Committee work is funded by Measure J, while in other districts it is funded out of Fund 40 - special projects. If Measure J funds are being used to fund the 7-11 Committee work, then CBOC would like a better understanding of what benefit are taxpayers receiving from the committee work.

Discussed

 F.-7

[19-1266](#)

2019 OUSD Facilities Master Plan Update – Facilities Planning and Management Project

A progress report to the Facilities Committee by the Deputy Chief Facilities Planning and Management, or designee, of District's 2019 Facilities Master Plan.

Tadashi Nakadegawa, Acting Deputy Chief, Facilities Planning and Management, provided a brief update.

Discussed

 F.-8

[19-2425](#)

Measures A, B, and J Independent Citizens, School Facilities Bond Oversight Committee - Updated Site Visit Calendar Through June 30, 2019

Adoption by the Measures A, B, and J Committee of its 2019-2020 Updated Site Visit Calendar through June 30, 2020.

Attachments: [19-2425 Measures A, B, and J Independent Citizens, School Facilities Bond Oversight Committee - Updated Site Visit Calendar Through June 30, 2019 \(11/19/19\)](#)

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

Aye: 6 - Member Renee Swayne
Secretary Tina Longfield
Member Victor Valerio
Member Andre Spearman
Vice Chairperson Saleem Shakir-Gilmore
Chairperson Andrea Dawson

Absent: 3 - Member (Vacancy) (Vacancy)
Member Andrew Nelsen
Member Daniel Chesmore

Enactment No: 19-1743

F.-9 [19-2413](#)

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

A Report to the Measures A, B and J Independent Citizens' School
Facilities Bond Oversight Committee from the Board's Liaison to the
Committee, regarding the Facilities Committee Meeting of November
15, 2019.

Jodie London, Facilities Committee Chairperson, reported that the Facilities Management Plan ("FMP") is underway, with OUSD hosting three Districtwide meetings in January to present the FMP to the public. District leaders might host additional meetings for their respective districts. The FMP has identified \$2.5 billion of need. The state has announced the possibility of a \$15 billion bond to support school needs. In order for OUSD to apply for money from the state's \$15 billion bond, it needs an up to date FMP. To further fund the \$2.5 billion of need, the Board of OUSD is contemplating a \$500 million bond offering in 2020.

There were no Public Comments.

Discussed and Closed

Enactment No: 19-1744

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

G.-1 [19-2414](#)

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 - November 19, 2019

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Measures A, B & J Committee - November 19, 2019.

*Public Comments
Mordecia, Jim*

Presentation/Acknowledgment Made

H. Introduction of New Legislative Matter

None.

I. Adjournment

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

Prepared By: _____

Approved By: _____