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Những người nào cần thông ngôn hay phiên dịch hay một sắp xếp hợp lý nào để tham gia các buổi họp phải thông báo Văn phòng của Hội đồng Giáo dục bảy mươi hai (72) tiếng đồng hồ trước buỗi họp, số điện thoại <u>(510)879-8199</u> (VM); hay là <u>boe@ousd.org</u> (E-Mail); hay là <u>(510) 879-2300</u> (eTTY/TDD); hay là số <u>(510) 879-2299</u> (eFax).

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អ្នកណាដែលត្រវការសេវាចកច្រែភាសាដោយផ្ទាល់មាត់ ឬជាលាយលក្ខអក្សរ ឬត្រវការការជួយសម្រះសម្រលយ៉ាងសមរម្ភ មួយ ដើម្បីចូលរួមក្នុងកិច្ចប្រជុំនានានោះ ត្រវផ្តល់ដំណឹងទៅកាន់ទីការិយាល័យនៃក្រមប្រីក្សាអច់រំ ឱ្យប្រានចិតសិចពី (72) ម៉ោង មុនកិច្ចប្រជុំ តាមរយៈទូរស័ព្ទៈលេខ <u>(510) 879-8199</u> 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/89428708116 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 894 2870 8116, 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:

https://support.zoom.us/hc/en-us/articles/205566129-RaiseHand-In-Webinar.

• To comment by phone (via Zoom), if you have made a pre-meeting Request to Speak, when your name is called, press "\*9" to "Raise Your Hand." You will be unmuted and allowed to make public comment. You will then be re-muted. Instructions of how to raise your hand by phone are available at: https://support.zoom.us/hc/en-us/articles/201362663 -Joining-a-meeting-by-phone.

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.

Written comments made on an eligible Agenda item, upon clicking of the Submit Button, are immediately sent via email to all members of the legislative body and key staff supporting the legislative body. Each eComment is a Public Record.

### **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 April 14, 2025, Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight (BJY) Committee at 6:34 P.M.

#### B. Roll Call

Present	6 -	Member John Jones III	
		Member Sarah Price	
		Member Andrea Dawson	
		Secretary Viola Gonzales	
		Vice Chairperson Alexandra Park	
		Chairperson Andrew Butler	
Absent	3 -	Member (Vacancy) (Vacancy)	
		Member Anana Clark	
		Member Angela Darby	

# 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

₿ I	D1	<u>25-1004</u>		Minutes - Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight – March 10, 2025 Adoption by the Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee of its Meeting Minutes of March 10, 2025.	
				Attachments:25-1004 Minutes - Measures B, J, and Y IndependentCitizens' School Facilities Bond Oversight – March 10, 2025	
				A motion was made by Vice Chairperson Park, seconded by Member Dawson, that the BJY Committee Meeting Minutes, be Adopted. The motion carried by the following vote:	
		Aye:	6 -	Member John Jones III	
				Member Sarah Price	
				Member Andrea Dawson	
				Secretary Viola Gonzales	
				Vice Chairperson Alexandra Park	
				Chairperson Andrew Butler	
		Absent:	3 -	Member (Vacancy) (Vacancy)	
				Member Anana Clark	
				Member Angela Darby	
				Enactment No: 25-0598	

# 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

Vice Chairperson Alex Park stated that there still remains unfinished business regarding Cole Street.

It wasn't clear why the school district needed to go back to the State Architect's office for approval. Question remains: what needs to happen for the first floor at Cole to be utilized to generate revenue as it is a currently underutilized OUSD asset.

District staff said that this is an issue for the Facilities committee now. Alex stated that the Cole building was built using Measure Y funds, against the recommendations of this committee, and now the first floor of the building is vacant and underutilized.

#### G. New Business

# G.-125-1029Measures B, J, and Y Independent Citizens' School Facilities Bond<br/>Oversight Committee - Status of 1025 2nd Avenue

A discussion by and between Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee, and Chief Systems and Services or designee on the status of 1025 2nd Avenue.

Attachments:	25-1029 Measures B, J, and Y Independent Citizens'
	School Facilities Bond Oversight Committee - Status of
	1025 2nd Avenue
	25-1029 Article - OUSD's Abandoned Lake Merritt
	Headquarters is Getting a New Life
	19-2517 Resolution No. 1920-0182 Adoption - 2020 Oakland
	Unified School District Facilities Master Plan (Approved by
	Board of Education on 5/13/2020)
	20-2435A Resolution No. 2223-0033 - Initiating Process to
	Demolish Buildings at 1025 Second Avenue (Approved by
	Board of Education on 11/30/2022)
	22-2385 Resolution No. 2223-0033 - Initiating Process to
	Demolish Buildings at 1025 Second Avenue (Approved by
	Board of Education on 11/30/2022)
	24-1968 Resolution No. 2425-0176 Intent to Consider Joint
	Occupancy Development Proposals for the Former OUSD
	Administration Buildings at 1025 Second Avenue

A discussion was initiated by Member Andrea Dawson. Member Dawson's oral report regarding her recent onsite visits to 1025 Second Avenue, accompanied by recent photos taken of the property emphasized continued public safety concerns, favoring swifter action to demolish the building, including (if necessary) by emergency resolution.

Member Dawson, with more than 25 years professional experience in public school facility construction management (including bond program and project management), stated that the school district is vulnerable to serious liability. The building also currently negatively impacts neighboring school properties, La Escuelita and Dewey and other neighboring properties. In addition, Member Dawson pointed out that the Board already approved the initiation of the demolition process to demolish buildings at 1025 Second Avenue per the attached resolutions from 2022, despite the most recent resolution (Intent to Consider Joint Occupancy Development Proposals) not getting passed.

Photos corroborate that the school property is being illegally occupied, and that those occupants are illegally accessing electricity from one of the neighboring OUSD properties. She recommends that to mitigate the current danger, OUSD, In the short-term, will need to place more robust fencing, as well as roll up doors at each entry, undertake ongoing cleanup and use security patrols. In the long term, Member Dawson stated that demolition and site cleanup is required and should not be unnecessarily or further delayed.

Discussion - Members Jones III, Price, Vice Chairperson Park

Ensuing discussion by Committee Members included various inquiries to clarify their understanding. First regarding the decision to no longer use 1025 Second Avenue for administrative purposes: some historical context was provided. Cole Street was viewed as a less expensive option than re-doing 1025 Second Avenue. Board Liaison Director Bachelor commented to the Board's interest to seek solution.

District staff stated that the District had previously hired security personnel for the site. The security personnel at some point refused to continue securing the building.

Member Price, also with construction management expertise, repeated her previous statement that she did not agree with expending the funding on the demolition at this time as potential future redevelopment of 1025 Second Avenue could include demolition of the property as part of any agreement to move ahead.

Both Dawson and Price with construction management expertise recommended that solar projects (estimated about \$ 9 million) are not a good use of funding at this time given that PG&E is reevaluating their Net Energy Metering (NEM) rate and the projected Return on Investment (ROI) on solar is only 3-4% annually, which is likely less than the debt interest rate, therefore making solar a bad investment. These funds could be used for other currently needed projects. Further, these funds for solar projects might be reallocated, thus allowing for funds for demolition of the 1025 Second Avenue property.

Public Comment - 1. Andre Spearman, 2. Andy Nelson

Spearman and Nelsen, two former Committee members, attended and spoke strongly to give priority to and fund the demolition of the 1025 Second Avenue building.

Discussed

P

G.-2

# 25-1017Facilities Committee - Measures B, J, and Y General Obligation<br/>Bonds Performance and Financial Audit Reports - Fiscal Year<br/>Ending June 30, 2024 - Eide Bailly, LLP, Independent Auditors<br/>Presentation to the Facilities Committee of the Performance Audit Report<br/>2006 Measure B, 2012 Measure J, and 2020 Measure Y General<br/>Obligation Bond Funds June 30, 2024, Financial Statements 2006<br/>Measure B General Obligation Bond Fund June 30, 2024, Financial<br/>Statements 2012 Measure J General Obligation Bond Fund June 30,<br/>2024, and Financial Statements 2020 Measure Y General Obligation<br/>Bond Fund June 30, 2024, each, by Eide Bailly, LLP, Independent<br/>Auditors.

Attachments:	25-1017 Presentation - Measures B, J, and Y Independent
	Citizens' School Facilities Bond Oversight Committee -
	Measures B, J, and Y General Obligation Bonds
	Performance and Financial Audit Reports - Fiscal Year
	Ending June 30, 2024 - Eide Bailly, LLP, Ind
	25-1017 Performance Audit Report 2006 Measure B, 2012
	Measure J, and 2020 Measure Y General Obligation Bond
	Funds June 30, 2024
	25-1017 Financial Statements 2006 Measure B General
	Obligation Bond Fund June 30, 2024
	25-1017 Financial Statements 2012 Measure J General
	Obligation Bond Fund June 30, 2024
	25-1017 Financial Statements 2020 Measure Y General
	Obligation Bond Fund June 30, 2024

Nathan Edelman, Independent Auditor, Eide Bailly, LLP gave a presentation of the Performance Audit Report 2006 Measure B, 2012 Measure J, and 2020 Measure Y General Obligation Bond Funds June 30, 2024, Financial Statements 2006 Measure B General Obligation Bond Fund June 30, 2024, Financial Statements 2012 Measure J General Obligation Bond Fund June 30, 2024, and Financial Statements 2020 Measure Y General Obligation Bond Fund June 30, 2024.

Overall, the Eide Bailey accounting firm gave the District a clean/unmodified audit regarding its management of bond funds used for modernization of school facilities based on standard audit scope. The audit also includes an expanded scope that looks beyond basic compliance. The audit does not review the data exhaustively, rather spot checks a percentage of the data. Based on the randomized review, numerous performance audit observations were made that addressed what is working and where there is room for improvement, taking into consideration current best practices and historical pitfalls. Some examples of observations made that affect BJY Committee review include:

Observation No. 1.2 - Identified "Reconcilable timing differences between the Historical Expenditures Details by Site and Project Budget Reconciliation, or

discrepancies between BJY Committee reporting and internal documents.

Observation No. 2.1 - Acknowledged that the project sheets are continuing to be improved, but still lacked clarity/timely detail regarding anticipated changes in project timelines and information regarding change orders (i.e. essential or not)

Observation No. 4 - Expenditures were made for authorized projects and show evidence of compliance with the District's internal controls, with clarification

Additional Recommendations - Auditor noted that management is currently able to override internal controls.

Observation No. 5.2 - Identified how there is no defined and clearly documented procedures about the nature, timing, or frequency of reporting change orders to key stakeholders.

Observation No. 6.1 - Although the District is in compliance with state laws & regulations, it has had difficulty providing a complete list of contracts awarded during the fiscal year.

Additional Recommendations - "We recommend the District establish a more consistent and comprehensive process for maintaining and providing complete records of contracts awarded."

It was noted that the District uses a shared excel sheet for a project tracker and that additional data fields were identified that could be added to rectify this difficulty.

Observation No. 7.1 - Indicated that the District's standardized itemized list for Bond Program materials procurement is not current and potentially incomplete and has not been updated since August 2021.

Additional Recommendation - "As best practice, these minimum standards mandated by the District should consider facility safety, energy conservation(e.g. Title 21 & 24), longevity, educational requirements, and other appropriate regulations and standards. Procurement staff should be trained to utilize the standard specifications when procuring materials or services for the District. Additionally, the District should define how to update the Standards Specifications document.

Observation No. 7.2 - There may be opportunities to obtain federal and state matching funds to increase financial resources for currently budgeted projects.

Observation Nos. 8 & 9.1 - District provided Conflict of Interest disclosures for all specific positions defined in the District's board policy within the facilities department.

Additional Recommendation - The District finalized the 2024 consolidated OUSD Facilities Department Procedures Manual in May, 2024 which outlines the Districts procedures...including key controls ...over project management, payment processing, and bidding...However it does not explicitly identify the process for verifying expenditures to ensure adherence to Prop 39 requirements and California Prompt Payment Laws or adherence to the District's conflict of interest policy. Furthermore, despite the updated manual being finalized, the previous version from September 2020 is available online.

Improvement Recommendation - ...the documentation of accounting policies and procedures should be evaluated annually and updated periodically no less than once every three years . Any changes in policies and procedures should be updated promptly as they occur and specific employee should be assigned the duty of overseeing this process. Additionally, the continued use of the outdated 2020 manual could lead to lack of clarity...We recommend that District update the procedures manual available online..."

"Project fact sheets are useful but lack specificity as to change orders and project timeline changes. Change orders and schedule delays should be brought forward when they are on the potential horizon, especially non-essential change orders. "

Specifications are in draft form and the auditor spoke to the importance of having consistent information for architects and in keeping with building code compliance.

Discussion - Members Jones III, Dawson, Price, Secretary Gonzales, Vice Chairperson Park, Chairperson Butler

Ensuing discussion by Committee Members included a question regarding conflict of interest and how contracts are awarded. Nathan Edelman stated that contracts were generally found to be awarded to the lowest responsible bidder. The BJY Committee recommended checking relationships between District staff and contractors on an ongoing basis to prevent repeats of past District misconduct.

Another recommendation from BJY Committee is to have the audit presentation earlier in the year next time given that the BJY Committee Annual Report is due in June every year.

Public Comment - 1. Andrea Spearman, 2. Andy Nelson

Presentation/Acknowledgment Made

G3 2	<u>25-0992</u>	Facilities Site Visit Schedule 2025 - Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee
		A discussion and possible Adoption by Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee of the Proposed Facilities Site Visit Schedule for 2025.
		Attachments:25-0992 Memorandum - Facilities Site Visit Schedule 2025 - Measures B, J, and Y Independent Citizens' School Facilities Bond Oversight Committee (5/12/2025)
		Chairperson Butler opened the floor for discussion of the Proposed Facilities Site Visit Schedule for 2025.
		Discussion - Member Jones III, Price, Vice Chairperson Park
		The Committee indicated that they wanted to visit 1025 2nd Avenue Property and Ralphe Bunche Continuation High School earlier than the proposed June 6th date proposed document, attached herein; but no specific date was adopted. District staff stated that additional planning is required because visiting these sites will require an armed guard escort.
		The schedule was modified to include the following sites but not adopted: Friday June 6th: Ralph J. Bunche & 1025 Second Avenue Friday September 5, 2025. West Oakland Middle School & Cole Street Campus Friday October 3, 2025. Glenview Elementary Friday November 7, 2025, Oakland Tech High School Friday December 5, 2025, Fremont High School
		Public Comment - 1. Andre Spearman, 2. Andy Nelson
		Discussed

Meeting Minutes Long - Final

G4	<u>25-1016</u>	Measures B, J and Y Independent Citizen Bond Oversight Committee - 2025 Facilities Master Plan Progress Updates & Visioning - Facilities Planning and Management		
		Committee by	Measures B, J and Y Independent Citizen Bond Oversight Chief Systems and Service, or Designee, of the 2025 ter Plan Progress Updates & Visioning.	
		<u>Attachments:</u>	25-1016 Presentation - Measures B, J and Y Independent Citizen Bond Oversight Committee - 2025 Facilities Master Plan Progress Updates & Visioning - Facilities Planning and Management (5/12/2025) 25-1016 Memorandum - Measures B, J and Y Independent Citizen Bond Oversight Committee - 2025 Facilities Master Plan Progress Updates & Visioning - Facilities Planning and Management (5/12/2025)	
			straints, this item was posted to a date certain, next Regular sting, recommending that it be put early on in the next agenda.	

Postponed to a Date Certain, next Regular Committee Meeting - May 12, 2025.

# 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.

H1	<u>25-1005</u>	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 – April 14, 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 - April 14, 2025.

No Public Comments

### 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.

- Member Dawson recommended an ad hoc Committee to draft the BJY Committee Annual Report.

- Member Dawson requested a report back on the Request for Quotation (RFQ) on Solar Projects up to \$9 Million

## J. Adjournment

Chairperson Bulter adjourned the Meeting at 8:36 P.M.

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

Approved By: