

Oakland Unified School District

Board of Education
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Minutes (Long)

Tuesday, August 10, 2010

6:00 PM

**Board Room, Paul Robeson Building, 1025 2nd Avenue, Oakland, CA
94606-2212**

Measure "B" Independent Citizens' School Facilities Bond Oversight Committee

Renee Swayne, Chair

Andrea Dawson, Vice Chair

Tracy Amaro, Secretary

***Members: Patricia Williams, Odest Logan, Jean Moore,
Jamie Flaherty-Evans, (Vacancy), Christopher Vernon***

A. Call to Order

Chairperson Renee Swayne called the meeting to order at 6:02 P.M.

B. Roll Call

Roll Call: Present: Tracy Amaro, Andrea Dawson, Jamie Flaherty-Evans, Jean Moore and Renee Swayne
Absent: Odest Logan, Christopher Vernon and Patricia Williams

C. Modification(s) To Agenda

None.

D. Adoption of Committee Minutes



[10-1712](#)

Minutes - Measure "B" ICSFBO Committee Minutes - Regular Meeting - May 18, 2010

Approval by Measure "B" ICSFBO Committee of its Regular Meeting Minutes of May 18, 2010.

Attachments: [10-1712 - Minutes - Measure "B" Committee - May 18, 2010](#)

A motion was made by Tracy Amaro, seconded by Jean Moore, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 5 - Tracy Amaro, Andrea Dawson, Jamie Flaherty-Evans, Jean Moore and Renee Swayne
Nay: 0
Recused: 0
Absent: 3 - Odest Logan, Christopher Vernon and Patricia Williams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0



[10-2048](#)

Minutes - Measure "B" ICSFBO Committee Minutes - Regular Meeting - June 22, 2010

Approval by Measure "B" ISCFBO Committee of its Regular Meeting Minutes of June 22, 2010.

Attachments: [Minutes - Measure "B" Committee - June 22, 2010](#)

A motion was made by Andrea Dawson, seconded by Jean Moore, that this matter be Adopted. The motion carried by the following vote:

Votes: Adv Aye: 0

Adv Nay: 0

Adv Abstain: 0

Aye: 5 - Tracy Amaro, Andrea Dawson, Jamie Flaherty-Evans, Jean Moore and Renee Swayne

Nay: 0

Recused: 0

Absent: 3 - Odest Logan, Christopher Vernon and Patricia Williams

Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

E. Adoption of the Committee General Consent Report

None.

F. Unfinished Business



[09-3087](#)

Measure "B" Proposed Workplan for 2008/2009 Annual Report

Discussion of Measure "B" Independent Citizens' School Facilities Bond Oversight Committee Proposed Workplan/Timeline for Production of 2008/2009 Annual Report.

Attachments: [Document\(s\)](#)

[09-3087 - Draft 2008-2009 Measure B Annual Report_V2.pdf](#)

[09-3087 - Draft 2008-2009 Measure B Annual Report.pdf](#)

[09-3087 - Draft - June 22, 2010 - Measure B Proposed Workplan for 2008-2009 Annual Report.pdf](#)

[09-3087 - Measure B Proposed Workplan for 2008-2009 Annual Report - August 10, 2010.pdf](#)

[09-3087 - 10-6/10 - Measure B Proposed Workplan for 2008-2009 Annual Report I_V16_pages.pdf](#)

[09-3087 - 10/6/10 - Measure B Proposed Workplan for 2008-2009 Annual Report_V16_spreads.pdf](#)

Chairperson Swayne said there was one item not finished in the Audit Report. She said she believes the Audit Report is all that is needed for the 2008/2009 Workplan to be completed.

Mr. White said that was correct.

Chairperson Swayne asked for a timeline of when the Audit Report would be completed?

Mr. White said he thinks the Audit Report should be ready in 30 days.

Charles Love, Facilities Department, said the Audit Letter is currently in review by Facilities Management and they should have the Audit Letter for the next Measure B" Committee Meeting.

Secretary Rakestraw said the committee actually needs the Audit Report as required by the voting measure. He said the committee needs more than just the Audit Letter, they also need the Audit Report.

Charles Love said the Audit Letter is a prerequisite to finishing the report. He said as soon Facilities Management has reviewed the Audit Letter and sends the letter back to the Auditors, they will finish the audit. He said depending on the date that happens, he is hopeful to have the Audit Letter for the next committee meeting.

Chairperson Swayne said at the last committee meeting there were committee members who wanted to see the report earlier and asked if that was still a possibility?

Mr. White said there were requests from the committee to take a look at the draft report. He said Committee Members are welcomed to come to the Facilities Department and take a look and participate in reviewing the draft report.

Tracy Amaro asked if there were a way to email a copy of the draft report to her and Andrea Dawson who are the ones that wanted to look at it?

Mr. White said he did not believe they could send the draft report via email.

Chairperson Swayne said any member interested in seeing the draft report will contact the Facilities Department.

Secretary Rakestraw said he is more comfortable with the committee being given the report when it is finished than he is about them getting a draft of the report. He said the vote of the measure says the committee is to get the actual report and to make their decisions on that report. He said he did not see the value of giving the report as a draft, it is a work in progress and it may raise a lot of issues. The committee can raise issues after the report is issued about its content, he is not sure about the involvement pre-publication.

Chairperson Swayne said she takes that to mean that Secretary Rakestraw would rather the committee wait until the report is ready.

Secretary Rakestraw said the committee should review the report and you will make your conclusions about its adequacy or inadequacy and report your findings to the citizens of the community as well as the Board. He said it is premature for the committee or any committee members to go and look at a work in progress. That is not the report and staff has an obligation to provide you with a finished report for your consideration so the committee can discharge its duties.

Andrea Dawson said the report has taken a long time. She said in order to move the report

along and see where it is, it would be nice if committee members could see how far along the report is, in what draft form the report is in and what the context is. She said she thinks the document is a public record if she as a member of the committee.

Secretary Rakestraw said the document is not a public record until it is completed, it is a work in progress.

Jean Moore asked if the report would be presented to the Board of Education before committee members see the final report?

Mr. White said his understanding the report will be presented to the committee and then submitted to the Board of Education.

Andrea Dawson asked if the draft report will be presented to the Facilities Committee?

Mr. White said it will not.

Tracy Amaro said she looked at the August draft of the Citizens' Bond Oversight Committee Report and said there were two outstanding things: (1) Committee Members had asked about links to certain documents on the website be added in and she did not see them. (2) She commented that at the last committee meeting if you add up the columns to get to the sub-totals, those are still not adding up. For example, the pre-design total for June 2007 to July 2008, it says 2006-2007 and 2007-2008, if you add the three numbers the \$23,908 down, the total listed is \$98,831. She said if she adds up the rounded numbers it totals \$98,832. There are various other sections that don't foot and she said she thinks it is because the Facilities Department rounded the numbers and it is not showing there. She said the question is how you should be putting it? Should it be footnoted to say it is not going to total because of rounding?

Randy Horne, GKK McCarthy, said on page five at the bottom, the link was added to the main body of the report. He said with respect to the rounding, the idea of adding a footnote may be appropriate in terms of the rounding throughout the body of the document. A footnote would help clarify that point.

Tracy Amaro said with the exception of the budget column, it probably needs to be added to every column header.

Tracy Amaro commented on the Measure B Bond Update June 2008 PDF and asked shouldn't it be the June 2009 report?

Randy Horne said that was a placeholder, once the final report is received the link will be updated. This was just how they had accounted for the link and the change was there.

Chairperson Swayne said hopefully at the next meeting, everything will be taken care of. She asked if there could be a link to the original Bond Language?

Mr. Horne said that should not be a problem.

Tracy Amaro asked if there were any other links other than the Bond and the Audit Report?

Andrea Dawson said not at this time. She said she hopes the website will have been worked on by the next time the report comes out which will be under the current committee's watch and there will be more links.

Secretary Rakestraw said he wanted to clarify his comments about the availability of the Audit Report. He said he wants the committee to understand he is making no value judgment whether or not the report is timely or the committee's right to question whether or not it is timely, etc., it is the content and the stage the report is in that he is making a distinction on. He said if committee members want to express that the report should have gotten to them earlier, etc., you are free to do that.

Discussed

G. New Business



10-2038 **Presentation: Measure B Oversight Committee Measure B (Fund 2122) Budget to Actual Expenditures and Cash Projects**

Presentation - Measure B Oversight Committee - Measure B (Fund 2122) Budget to Actual Expenditures, and Cash Projections as of 8/4/2010.

Funding Source: General Obligation Bond-Measure B

Attachments: [Document\(s\)](#)

Charles Love presented the Measure "B" Expenditure Report as of June 30, 2010. Mr. Love said the report shows the working budget has an increase of \$11.8 million dollars over the last report due primarily to new projects, fire alarms projects and major modifications at Lowell Middle School and Montera Middle School. The working budget has a balance as of the end of the fiscal year of \$39 million dollars. The Bond Revenue balance is \$31 million dollars of the \$435 million dollars for the beginning bond measure balance, less the working budget of \$403.7 million dollars leaving a balance of \$31 million dollars. The actual expenditures year to date totals \$45.9 million dollars with the majority of these expenditures in the area of construction - a \$4.7 million increase.

Committee Member Comments

Tracy Amaro said as of the end of 2009 the total budget was \$391 million dollars for Board approved projects and it looks like the amount has gone up to almost \$404 million dollars and she said she did not recall at the last meeting the amount had increased to that amount. She asked what new projects had been approved to change from the \$391 million to \$404 million?

Charles Love said a majority of the increase was due to several fire alarm projects and mainly in the design area where there are a number of projects that are grouped together. Lowell Middle School and Montera Middle School Modifications make up the bulk of that increase.

Jean More said on the Summary Page she can't figure out why there are two columns with

two dates that are so close together (6/15 and 6/30).

Mr. Love said that was the last reporting date 6/15/30 this reporting date is 6/30/10.

Jean Moore asked if the books had closed on 6/30/10?

Mr. Love said they had not closed. He said there may be some changes to these numbers. He said Fiscal Services is working on closing the books and there are adjustments back and forth. He said he inquired about that today and Fiscal Services could not give him a specific time when the books would be closed.

Ms. Moore said most likely when the committee meets the next time that first column will be 6/30/10 and it will be a different number?

Mr. Love said "Yes." Mr. Love then said it is not necessarily going to be a different number, the books have not been closed yet. The number may change.

Discussed and Closed

10-2050 Committee Site Visits Report of July 2, 2010 and August 6, 2010

Presentation of Committee Site Visit Report of July 2nd and August 6th.

Chairperson Swayne said she was unable to attend the June Site Visits but she did attend the August Site Visits. She said the visit was excellent! There were four Committee Members along with staff at the August visit. At Prescott Elementary School they are going to have a "Welcome Back to School". She said she has been in touch with the principal and she may be able to attend and cut the ribbon. She said she still wants to contact Katy Murphy, Report for the Oakland Tribune, because it would be good to have her attend some of the Site Visits. She would also like the Superintendent to attend and thinks it would be a good for him to be a little more visible.

Mr. White commented on Chairperson Swayne's comment about the press being made aware of some of the great work going on in the District provided by Measure "B" Funds. He said a group that included Katy Murphy walked the Oakland High School campus on yesterday. He said Oakland High School is one of the District's most ambitious projects and a fairly huge project. Ms. Murphy spent about two hours at Oakland High School with staff. She asked some pointed questions about the Capital Program as well as some of the projects associated with the summer improvements. He said maybe at the next meeting he could present some type of context of the work that has been done over the summer.

Chairperson Swayne said there are so many good things happening in the District that most people are not aware of it. She said it would be good for the District to get some good public relations.

Tracy Amaro said she liked the idea of the presentation at the next committee meeting about the construction work the District accomplished over the summer. She said she can see the Budget to Actual Reports and see what was spent, but it doesn't tell the committee what has been done.

Mr. White said as the Citizens' Oversight Committee gives a great vision for the committee in terms of the site visits, that is not a comprehensive role that shows what was done at each school, the volume of work and the total that was completed over the summer. He said they usually categorize in two separate categories, what was completed this summer, what was worked on this summer and the on-going work. He said the District spent about \$125 million dollars in projects with about \$50 million dollars in project completion this summer. Mr. White highlighted some of the summer projects:

- Chabot - new two story building
- Cox new - two story building
- Oakland High School - new two story building and extensive modernization work campus wide
- McClymonds High School - new football field
- Several other ambitious long range projects

Chairperson Swayne noted that the McClymonds' staff hopes to have the first home football game on the new field. She said Committee Members made some recommendations so the field could be more visually appealing.

Andrea Dawson commented on her observation at Jefferson Elementary during the July visit. She said she was impressed with the new building but came away and thought about it some more. She said she wanted clarity on the Scope of Work for the campus. She asked if there was going to be a new building, because there are two schools and two principals on one campus. She said the District will construct a new building and asked if the other school (the original school) is getting modernized also?

Mr. White said the school is getting some modernization work as well as the new building.

Tadashi Nakadegawa, Director of Facilities Planning, said the planning of the school started before the Small Schools Movement, called the Portable Replacement Program. He said that is where the Scope of Work for the current project comes from. As the Small Schools Program got started, they realized they had to add an administrative piece to that. It was going to be just a classroom and a small assembly room. It is now supporting much more of one school than the other. The original purpose is still in tack, which is to replace all the old portables on the site. There was a previous medium level modernization about three years ago. All the facilities on the campus will have the same equivalent of data and low voltage systems and the new classrooms will have better day lighting and better ventilation systems.

Andrea Dawson asked if the old existing campus was going to get any new paint or flooring? She said if she were taking her child to that school, she would struggle with what's going on there with the equity piece. She said she can appreciate the fact it was one school when they began the work.

Mr. Nakadegawa said the delivery cycle is so long, it is somewhat a moving target. He said they have done other sites where they had enough budget and foresight in place to modernize the existing facility at the same time as replacing portables and it does work out much better.

Andrea Dawson said at Jefferson, if the District continues to have two schools on one

campus, it is different than doing modernization at Montclair or any other school in the District. It is going to be so apparent when the work is completed that unless there is going to be a follow on project to do the existing school and give it a facelift such as new paint, floors and new landscaping so the two school blend in together.

Mr. White said it does expose one of the weaknesses in the previous strategy in terms of how we plan the Capital Projects in conjunction with the implementation of Small Schools. He said it is representative of a disconnect that existed at the time between the Master Plan, the implementation of Small Schools, how they were incubated and how they were brought on line. The previous administration was aware of that. Our first Superintendent after State Administration, Dr. Roberta Mayer did take some steps to make sure those pieces were more tightly coordinated and they are doing a much better job now under the new Superintendent and his leadership. The driver behind Expect Success and the type of changes Expect Success wanted to implement were strong. At the same time there was no real connection between the number of Small Schools that were being incubated and the Master Plan which already existed. What happened was this kind of reverse type of engineering process took place to try and make those things fit. At some school sites we have gone back and made modifications to accommodate the two schools and those have caused significant delays as at Jefferson. There was a set of plans drawn up for a full comprehensive elementary school and during that planning process the New Schools Incubation Group would spring out this plan to split the school into Small Learning Communities. He said we had to make some adjustments, design plans were scrapped for whatever the cost may have been to date, in some cases several hundred thousand dollars, we scrambled to make adjustments and there would be these long delays. He said it was a very imperfect kind of marriage between the two schools and they are not captured in terms of the Facilities Master Plan. He said now as we go forward, we do have to be mindful that a condition existed at this particular school that is incomplete.

Chairperson Swayne said she volunteers at Jefferson Elementary School and said both of the sites are pleased with the work. She said there will be a difference entrance and some of the offices built to the other school might include floors and other things. She said in speaking with both of the principals, they both seemed pleased so there is not any envy at this point.

Andrea Dawson said at the two schools there it is a huge dis-connect and she did not get that sense from the two principals that both were together and happy about this. She said they were polite, but she is not sure the principal that is not getting the face lift is all together happy about it. She said from her perspective, how could they be when they have to explain that to their parent community. She said when the building gets finished it will be beautiful. She said she is not laying blame, it is one of the things we have to be more cognizant of and it is time to revisit a Master Plan so we can be thoughtful about this. She said at Montclair Elementary it is understandable because it is all one school. She said curb appeal buys so much goodwill from the taxpayers. A lot of people don't walk in these schools, but they see them from street. She said even if there are two campuses on one site, they need to look like they all belong there and everybody is getting the same shake.

Jamie Flathery-Evans asked if there is a way to make this happen? Can we put some money aside now while the work is being done to the other building to help this one come up to par?

Andrea Dawson said what she is asking for in the Facilities Master Plan to re-look at the facilities because they would have to go out for another bid. It could be a package that can happen next summer or in the fall with some commitment and they would have a vision of what their campus was going to look like in a couple of years.

Mr. White said we have to be brutally honest about not just we have a beautiful building there, but we have in some cases, dis-connected from the delivery and the methodology associated with the educational program and could we have done a better Job? He said he would say "Yes". He said the conditions that were in play that caused those kinds of things the Superintendent is aware of and we will make every effort to make sure those things don't happen as we go forward. He said you have to admit what the short comings were at that time for us to take responsibility to change them going forward. He said if you look underneath this, it exposes a lot of the weaknesses associated with how we actually did things and some of the unintended consequences of taking a campus and making it a multiple school location. He said the intentions under Expect Success were good, but there is this unintentional consequence that has happened. He said we need to be thoughtful and honest as we look at those, not hide the fact they exist, say what they are and we can have some honest discussions about how to address this.

Discussed and Closed

10-2055 Nomination(s) for Committee Secretary

Acceptance of nominations from the membership for the position of Committee Secretary.

Secretary Rakestraw opened the nomination(s) for Committee Secretary. Tracy Amaro said she would be willing to serve again as Committee Secretary. Andrea Dawson nominated Tracy Amaro for Committee Secretary. There were no other nominations. Secretary Rakestraw closed the nomination(s).

10-2056 Election of Committee Secretary

Shall Tracy Amaro be elected Committee Secretary for the 2010 term?

Tracy Amaro was elected Committee Secretary.

A motion was made that this matter be Elected. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 5 - Tracy Amaro, Andrea Dawson, Jamie Flaherty-Evans, Jean Moore and Renee Swayne
Nay: 0
Recused: 0
Absent: 3 - Odest Logan, Christopher Vernon and Patricia Williams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

10-2057 Nomination(s) of Committee Vice Chair

Acceptance of Nominations from the membership for the position of Committee Vice Chair.

Secretary Rakestraw opened the nomination(s) for Committee Vice Chair. Andrea Dawson said she would be willing to serve again as Committee Vice-chair. Tracy Amaro nominated Andrea Dawson for Committee Vice-chair. There were no other nominations. Secretary Rakestraw closed the nomination(s).

10-2058 Election of Committee Vice Chair

Shall Andrea Dawson be elected Committee Vice Chair for the 2010 term?

Andrea Dawson was elected Committee Vice-Chair.

A motion was made that this matter be Elected. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0
Aye: 5 - Tracy Amaro, Andrea Dawson, Jamie Flaherty-Evans, Jean Moore and Renee Swayne
Nay: 0
Recused: 0
Absent: 3 - Odest Logan, Christopher Vernon and Patricia Williams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

10-2059 Nomination(s) for Committee Chair

Acceptance of Nominations from the membership for the position of Committee Chair.

Secretary Rakestraw opened the nomination(s) for Committee Chair. Renee Swayne said she would willing to continue as Committee Chair. Andrea Dawson seconded the motion. There were no other nominations. Secretary Rakestraw closed the nomination(s).

10-2060 Election of Committee Chair

Shall Renee Swayne be elected Committee Chair for the 2010 term?

Renee Swayne was elected Committee Chair.

A motion was made that this matter be Elected. The motion carried by the following vote:

Votes: Adv Aye: 0
Adv Nay: 0
Adv Abstain: 0

Aye: 5 - Tracy Amaro, Andrea Dawson, Jamie Flaherty-Evans, Jean Moore and Renee Swayne
Nay: 0
Recused: 0
Absent: 3 - Odest Logan, Christopher Vernon and Patricia Williams
Preferential Aye: 0
Preferential Abstention: 0
Preferential Nay: 0

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

There were no Public Speaker Cards submitted.

I. Introduction of New Legislative Matter

The next Committee Meeting will be October 12, 2010 at 6:00 P.M.

The Committee will present the Measure B"2008-2009 Annual Report to the Board of Education on October 27, 2010.



10-2089 Report - Summer 2010 Measure "B" Construction Projects

A report by the Assistant Superintendent for Facilities Planning and Management regarding the Summer 2010 construction work using Measure "B" Funds. The report will include the construction work completed and the on-going construction work.

Attachments: [10-2089 - Report - Summer 2010 Measure "B" Construction Projects.ppt](#)

J. Adjournment

Chairperson Swayne adjourned the meeting at 6:53 P.M.

Prepared By: _____

Approved By: _____