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Waiver Request System

Submission

Legislative File ID Number: 20-1028
Introduction Date: 5/11/2020
Enactment Number: 20-0938
Enactment Date: 6/10/2020 If

Instructions:

- Fields marked with an asterisk (*) are required.
- The format for all dates is mm/dd/yyyy.
- Use the 'Attachments' section below to attach all supporting documents if required.
- Make sure all information is accurate before selecting submit. You will not be able to edit this waiver once you have submitted the form.
- DO NOT at any time hit the back button. You will lose all your information.
- Use brackets [] for putting Education Code section to be waived. See FAQ for details.
- Do not use abbreviations for bargaining units.
- Refer to the FAQ for general questions.
- The waiver request page is time sensitive. You must be able to complete the waiver request within two hours. Failure to complete and submit the waiver request in the two hours will result in the loss of all previously entered information.
- Public hearing date must be a valid date and must have already taken place (no future date).
- Local board approval date must be a valid date and must have already taken place (no future date).

District Information

*County:

*District:

*Address:

*City:

*State:

*Zip code:

Fax:

Jody London
President, Board of Education

Kyla Johnson Tramell
Secretary, Board of Education

Waiver Information

*Period of request start date:

*Period of request end date:

*Is this waiver a renewal? No Yes

*Waiver topic:

*Ed Code title:

*Ed Code section:

*Ed Code authority:

*Education Code or California Code of Regulations (CCR) section to be Waived. If the request is to waive a portion of a section, type the text of the pertinent sentence of the law, or those exact phrases requested to be waived (use [] to strike out).

See Attachment A

*Student population

*Located in a(n) city

*Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations. If more space is needed, please attach additional documents using the 'Attachments' section below.

The Oakland Unified School District Board of Education passed a 2020 Facilities Master Plan indicating facilities needs from early childhood, TK-12 and Adult Education in May, 2020.

As part of the development of the plan the the board convened a 7-11 Committee to review 5 vacant properties for potential surplus; 2455 Church St., CA 94605 (the former Edward Shands Adult School), and 4551 Steele St, Oakland, CA 94619 (the former Tilden Child Development Center). The 7-11 committee recommended and the board voted to surplus two properties in order to pursue a long term lease. The District's Asset Management Policy indicates a priority

Public Hearing

*Date of public hearing: *

*How was the required public hearing advertised?

The public hearing was advertised in the Oakland Tribune. See attached posting.

Approvals/Review

*Local board approval date: *

*Please identify the appropriate council(s) or advisory committee(s) that reviewed this waiver.

Citizens Bond Advisory Committee

*Date the committee/council reviewed the waiver request:

*Were there any objection(s) No Yes

Bargaining Unit

If the specific waiver you are submitting requires bargaining unit participation select yes and fill out the information. If it does not require bargaining unit participation, select no.

*Does the district have any employee bargaining units? No Yes

Delete BU	Consulted on date	BU Name
Delete	05/01/2020	American Federation of School County Municipal Emp
Delete	05/01/2020	Oakland Education Association
Delete	05/01/2020	Service Employees International Union 1021

Attachments

Delete Attachment	Original File Name	New File Name
Delete	Attachment A.pdf	5_29_2020_2_29_27_PMA Attachment_A.pdf
Delete	Board Resolution Edward Shands Surplus.pdf	5_29_2020_2_29_44_PMBoard_Resolution_Edward_Shands_Surplus.pdf
Delete	Board Resolution Tilden CDC Surplus.pdf	5_29_2020_2_30_15_PMBoard_Resolution_Tilden_CDC_Surplus.pdf
Delete	May 11 Citizens Bond Advisory Committee Meeting.pdf	5_29_2020_2_30_35_PM May_11_Citizens_Bond_Advisory_Committee_Meeting.pdf
Delete	AFSCME Waiver (3).pdf	5_29_2020_2_31_05_PMAFSCME_Waiver_(3).pdf
Delete	OEA Response to Waiver .pdf	5_29_2020_2_31_15_PMOEA_Response_to_Waiver_.pdf
Delete	Public Hearing Posting.pdf	5_29_2020_2_31_59_PMPublic_Hearing_Posting.pdf

*Is this waiver associated with an apportionment related audit penalty? (per EC 41344) No Yes

*Has there been a Categorical Program Monitoring (CPM) finding on this issue? No Yes

If needed, upload additional file(s) here (must be Word, Excel, or PDF format)

no file selected

Contact Information

*Title:

*First name:

*Last name:

*Position:

*E-mail:

*Area code:

*Telephone:

Extension:

I hereby certify that I have gone through my authorizing school district and or Special Education Local Plan Area (SELPA), that I am the superintendent or the superintendent's designee and that the information provided on this application is true and correct.

[Menu](#)

Questions: Waiver Office | 916-319-0824

California Department of Education
1430 N Street
Sacramento, CA 95814

[Web Policy](#)

The Oakland Unified School District Board of Education passed a 2020 Facilities Master Plan indicating facilities needs from early childhood, TK-12 and Adult Education in May, 2020.

As part of the development of the plan the the board convened a 7-11 Committee to review 5 vacant properties for potential surplus; 2455 Church St., CA 94605 (the former Edward Shands Adult School), and 4551 Steele St, Oakland, CA 94619 (the former Tilden Child Development Center). The 7-11 committee recommended and the board voted to surplus two properties in order to pursue a long term lease. The District's Asset Management Policy indicates a priority for lease over a sale.

The District desires to have the requested Education Code sections, or portions thereof, waived to allow the District to maximize value to the community from its return on the lease of the District's vacant properties, located at 2455 Church St., CA 94605 (the former Edward Shands Adult School), and 4551 Steele St, Oakland, CA 94619 (the former Tilden Child Development Center).

The District has determined that these two sites are no longer needed for school purposes. It is the desire of the District to attract potential lessees who will benefit both the District and the neighborhood. The District anticipates attracting a much greater interest from potential lessees through a Request for Proposal process than a bid process.

[Attachment A](#)

[Board Resolution Edward Shands Surplus](#)

[Board Resolution Tilden CDC Surplus](#)

[May 11 Citizens Bond Advisory Committee Meeting Agenda](#)

[AFSCME Waiver Response](#)

[OEA Waiver Response](#)

[Public Hearing Posting](#)

Attachment A

Education Code § 17455.

The governing board of any school district may sell any real property belonging to the school district or may lease for a term not exceeding 99 years, any real property, together with any personal property located thereon, belonging to the school district which is not or will not be needed by the district for school classroom buildings at the time of delivery of title or possession. The sale or lease may be made without first taking a vote of the electors of the district, ~~and shall be made in the manner provided by this article.~~

Rationale: The Oakland Unified School District requests the specified Education Code sections be waived in order to allow the District to maximize the value to the District and the neighborhood from the long term lease of two of its sites. The District would like to offer the property for lease through Requests for Proposals followed by further negotiations using the services of a broker who will advertise and solicit proposals from potential buyers. The article referenced by Education Code Section 17455 consists of sections 17455 through 17484, which contain provisions regarding the sale or lease of real property that are inconsistent with the manner in which the District hopes to market the property. The District will work closely with consultants to ensure that the process by which the property is leased is fair, open, and competitive. The process the District will use will be designed to get the best result for the District, the schools, and the community.

Education Code § 17466.

Before ordering the sale or lease of any property the governing board, in a regular open meeting, by a two-thirds vote of all its members, shall adopt a resolution, declaring its intention to sell or lease the property, as the case may be. The resolution shall describe the property proposed to be sold or leased in such manner as to identify it ~~and shall specify the minimum price or rental and the terms upon which it will be sold or leased and the commission, or rate thereof, if any, which the board will pay to a licensed real estate broker out of the minimum price or rental. The resolution shall fix a time not less than three weeks thereafter for a public meeting of the governing board to be held at its regular place of meeting, at which sealed proposals to purchase or lease will be received and considered.~~

Rationale: The language to be waived provides for a minimum price or rental and requires sealed proposals to purchase or lease the property. This requirement restricts the District's flexibility in negotiating price, payments, and other terms that may yield greater economic and other benefits to the District than a sealed bid process.

Education Code § 17468.

If, in the discretion of the board, it is advisable to offer to pay a commission to a licensed real estate broker who is instrumental in obtaining any proposal, the commission shall be specified in the resolution. No commission shall be paid unless there is contained in or with the ~~sealed proposal or stated in or with the oral bid~~, which is finally accepted, the name of the licensed real estate broker to whom it is to be paid, and the amount or rate thereof. Any commission shall, however, be paid only out of money received by the board from the sale or rental of the real property.

Rationale: The stricken language to be waived provides for the District to receive sealed proposals and oral bids to purchase the property at an identified meeting of the District's governing board. The District is requesting that the requirement of sealed proposals and oral bidding to purchase the property be waived, allowing the District to negotiate the leases of the Former Edward Shands Adult School and Former Tilden CDC Sites with an interested purchaser selected through an RFP process.

Education Code § 17469.

Notice of the adoption of the resolution ~~and of the time and place of holding the meeting~~ shall be given by posting copies of the resolution signed by the board or by a majority thereof in three public places in the district, ~~not less than 15 days before the date of the meeting~~, and by publishing the notice not less than once a week for three successive weeks ~~before the meeting~~ in a newspaper of general circulation published in the county in which the district or any part thereof is situated, if any such newspaper is published therein.

Rationale: The stricken language to be waived assumes that the Board would be setting a specific meeting to receive proposals for the leases of the Former Edward Shands Adult School and the Former Tilden CDC .

Education Code § 17470.

(a) The governing board of a school district that intends to sell real property pursuant to this article shall take reasonable steps to ensure that the former owner from whom the district acquired the property receives notice of the public meeting prescribed by Section 17466, in writing, by certified mail, ~~at least 60 days prior to the meeting.~~

(b) The governing board of a school district shall not be required to accord the former owner the right to purchase the property at the tentatively accepted highest bid price nor to offer to sell the property to the former owner at the tentatively accepted highest bid price.

Rationale: The stricken language to be waived assumes that the Board would be setting a specific meeting to receive proposals for the lease of the Former Edward Shands Adult School and Former Tilden CDC Sites. Such a requirement, however, will be removed pursuant to the language stricken within Education Code Section 17466. As modified, the District would still be required to take reasonable steps to provide notice to the former owner, but the provision of such notice would no longer be tied to an established date to receive proposals.

Education Code § 17472.

~~At the time and place fixed in the resolution for the meeting of the governing body, all sealed proposals which have been received shall, in public session, be opened, examined, and declared by the board. Of the proposals submitted which conform to all terms and conditions specified in the resolution of intention to sell or to lease and which are made by responsible bidders, the proposal which is the highest, after deducting therefrom the commission, if any, to be paid a licensed real estate broker in connection therewith, shall be finally accepted, unless a higher oral bid is accepted or the board rejects all bids.~~

Rationale: With a waiver of the requirement that sealed proposals be received, and that the highest bidder be awarded the contract, the District will be able to sell or lease the property to the party that presents the most favorable proposal to the District. The Board would, therefore, be able to sell or lease to the party submitting the proposal that best meets the District's needs. By removing the requirement that an oral bid be accepted, the District would be able to determine what constitutes the most desirable bid.

Education Code § 17473.

~~Before accepting any written proposal, the board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to purchase the property or to lease the~~

~~property, as the case may be, upon the terms and conditions specified in the resolution, for a price or rental exceeding by at least 5 percent, the highest written proposal, after deducting the commission, if any, to be paid a licensed real estate broker in connection therewith, then the oral bid which is the highest after deducting any commission to be paid a licensed real estate broker, in connection therewith, which is made by a responsible person, shall be finally accepted. Final acceptance shall not be made, however, until the oral bid is reduced to writing and signed by the offeror.~~

Rationale: The District asks that this entire section be waived because the District, in negotiating an agreement to sell or lease the property, will not be accepting oral bids in addition to sealed bids.

Education Code § 17474.

~~In the event of a sale on a higher oral bid to a purchaser procured by a licensed real estate broker, other than the broker who submitted the highest written proposal, and who is qualified as provided in Section 17468 of this code, the board shall allow a commission on the full amount for which the sale is confirmed. One half of the commission on the amount of the highest written proposal shall be paid to the broker who submitted it, and the balance of the commission on the purchase price to the broker who procured the purchaser to whom the sale was confirmed.~~

Rationale: The District asks that this entire section to be waived because the District, in negotiating an agreement to sell or lease the property, will not be accepting oral bids.

Education Code § 17475.

~~The final acceptance by the governing body may be made either at the same session or at any adjourned session of the same meeting held within the 10 days next following.~~

Rationale: Modification of the section would remove the requirement that the governing board accept a proposal at the same meeting received, and would instead allow the governing board to consider proposals received and, as desired and appropriate, direct further negotiation.

The preceding sections, which are section 17455, 17466, 17468, 17469, 17470, 17472 through 17475, have strike-out but indicate the exact language being waived and is still valid.

Attach any resolutions which the governing board has adopted regarding the sale or lease of this property including minimum price or rental and the terms on which it will be sold or leased and the date and time at which sealed proposals or oral bids were to have been received and considered. If no resolutions were adopted, provide information in the "Outcome Rationale" section of the General Waiver submittal regarding the factors considered by the governing board for not utilizing the bid process as defined in the California *Education Code*.

Board Office Use: Legislative File Info.	
File ID Number	20-0392
Introduction Date	2/14/2020
Enactment Number	20-0255
Enactment Date	2/26/2020 os



Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Jody Talkington, Senior Director of Strategic Projects (Superintendent Office)
Tadashi Nakadegawa, Interim Deputy Chief of Facilities

Facilities Committee Meeting Date February 14, 2020

Subject Declaring Former Edward Shands Adult Education Center Surplus Property

Action Adoption by the Board of Education, upon recommendation of its Facilities Committee and the 7-11 Committee, of Resolution No. 1920-0206 - Declaring the Former Edward Shands Adult Education Center To Be Surplus and Directing the Superintendent of Schools, or designee, to Prepare the Next Steps to Pursue a Long Term Lease.

Background The Oakland Unified School District’s physical assets help provide safe, healthy, and appropriate learning environments for students in Oakland’s public schools. The Board of Education has instituted several policies to ensure that the District is first and foremost using its facilities for educational purposes for OUSD students. Secondly, if a District facility is no longer needed for educational purposes by the District, it is District policy to prioritize lease over sale.

In April 2019, the Board convened the 7-11 Committee via [Board Resolution No. 1819-0189](#), a District advisory committee made up of community members, and charged with reviewing specific vacant properties. In June 2019, the Board passed a [Board Resolution No. 1819-0247](#) to have the 7-11 Committee review 5 properties to be considered surplus: (1) Former Edward Shands Adult Education Center; (2) Former Tilden Child Development Center (CDC); (3) Former Piedmont CDC; (4) Former Webster CDC (2 classrooms); and (5) Former Sankofa CDC (4 classrooms). In January 2020, the 7-11 Committee presented the Board with the Committee’s final report, which included recommendations for surplus and recommended future use. The

final recommendation for each property is as follows (more detail is in the full report):

- 86 Echo Avenue (former Piedmont Child Development Center site): No Surplus
- 58 61st Street (former Washington/Sankofa CDC site): No Surplus
- 4551 Steele Street (former Tilden CDC site): Surplus
- 7980 Plymouth Street (former Webster CDC site): No Surplus
- 2455 Church Street (former Edward Shands Adult Education Center site): Surplus

Discussion

This item addresses the Former Edward Shands Adult Education Center. Consistent with the recommendations of the 7-11 Committee for this property, the resolution would declare the property surplus. If approved by the Facilities Committee, the resolution would be forwarded to the Board for consideration.

Fiscal Impact

N/A. This item is only to declare the Former Edward Shands Adult Education Center surplus. Future items will discuss the potential revenue generation from a long term lease of a surplus property.

Attachments

[7-11 Committee Report to the Board of Education](#)

[Board Resolution No. 1819-0189](#)

[Board Resolution No. 1819-0247](#)

[Former Edward Shands Adult Education Center, 2455 Church St \(District 6\)](#)

[Board Policy 3280](#)

[Board Policy 7350](#)

**RESOLUTION
OF THE
BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

Resolution No: 1920-0206

Declaring the Former Edward Shands Adult Education Center To Be Surplus and Directing the Superintendent of Schools, or designee, to Prepare the Next Steps to Pursue a Priority Long Term Lease

WHEREAS, the Oakland Unified School District is deeply committed to the vision of Oakland being home to high quality public education options for all students and families;

WHEREAS, to realize this vision, the District's Board of Education ("Board"), directed the District's Superintendent to develop a "Citywide Plan" that promotes the long-term sustainability of publicly-funded schools across Oakland that represent quality and equitable educational options (see District's Quality School Development: Community of Schools Policy (Board Policy No. 6006));

WHEREAS, among the specific goals of the District through the Citywide Planning process is to best leverage vacant, underutilized, and surplus properties so that (i) high-quality publicly funded schools across Oakland are able to serve all of its students, (ii) a fiscally sound number of schools exist given OUSD's student population, and (iii) schools are located where more high quality options are needed;

WHEREAS, as part of the District's Citywide Planning process, the District plans to identify potentially underutilized school sites throughout the District that the District is interested in investigating further in order to help accomplish the above-discussed goals;

WHEREAS, the District, with input and guidance from the public, now desires to investigate the potential sale, lease, or rental of vacant and underutilized District school sites,

WHEREAS, the District's Facilities and Research & Development Teams have compiled a list of such vacant and underutilized District school sites to be considered first, consisting of the following: (1) Former Edward Shands Adult Education Center; (2) Former Tilden Child Development Center (CDC); (3) Former Piedmont CDC; (4) Former Webster CDC (2 classrooms); and (5) Former Sankofa CDC (4 classrooms);

WHEREAS, pursuant to Section 1.4.1 of the District's Board Bylaw No. 9131, the District's Board of Education ("Board") is required to establish advisory and oversight committees or commissions for the purpose of meeting legal requirements and to provide advice and involvement concerning matters of interest and welfare to the Board;

WHEREAS, pursuant to Education Code Section 17388, the Board, prior to the sale, lease, or rental of any excess real property, except rentals not exceeding 30 days, shall appoint a District advisory committee to advise the Board in the development of Districtwide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes;

WHEREAS, Section 3 of Board Bylaw No. 9131, consistent with Education Code Section 17387, et seq., enumerates both the duties and composition requirements of such a district advisory committee, including that the committee must consist of between seven (7) and eleven (11) members (the “7-11 Committee”); and

WHEREAS, the District has taken action to create the 7-11 Committee by the action of Board on April 10, 2019; and

WHEREAS, on January 22, 2020, the District’s 7-11 Committee submitted a final report with recommendations for surplus and potential future use for the following properties: (1) Former Edward Shands Adult Education Center; (2) Former Tilden Child Development Center (CDC); (3) Former Piedmont CDC; (4) Webster CDC (2 classrooms); and (5) Sankofa CDC (4 classrooms); and

WHEREAS, the District’s 7-11 Committee recommended to the Board of Education that the Former Edward Shands Adult Education Center be surplus. The recommended use for the property is a long term lease for a multi-use space for workforce housing and a community resource center; and

NOW, THEREFORE, BE IT RESOLVED THAT, that the Board of Education finds and declares the Former Edward Shands Adult Education Center to be surplus and further directs the Superintendent of Schools, or designee, to prepare the necessary steps to pursue priority long term lease for the former Edward Shands Adult Education Center.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 26th day of February, 2020, by the following vote:

PREFERENTIAL AYE:	None
PREFERENTIAL NOE:	None
PREFERENTIAL ABSTENTION:	None
PREFERENTIAL RECUSED:	None
AYES:	Aimee Eng, Jumoke Hinton Hodge, Gary Yee, Roseann Torres, James Harris, Vice President Shanthi Gonzales, President Jody London
NOES:	None
ABSTAINED:	None
RECUSED:	None
ABSENT:	Student Director Garibo, Student Director Smith-Dahl, Jumoke Hinton Hodge

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on February 26, 2020.

Legislative File	
File ID Number:	20-0392
Introduction Date:	02/14/2020
Enactment Number:	20-0255
Enactment Date:	2/26/2020
By:	os

OAKLAND UNIFIED SCHOOL DISTRICT



Jody London
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

Board Office Use: Legislative File Info.	
File ID Number	20-0393
Introduction Date	2/14/2020
Enactment Number	20-0256
Enactment Date	2/26/2020 os



Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Jody Talkington, Senior Director of Strategic Projects (Superintendent Office)
Tadashi Nakadegawa, Interim Deputy Chief of Facilities

Facilities Committee Meeting Date February 14, 2020

Subject Declaring Former Tilden Childhood Development Center Surplus Property

Action Adoption by the Board of Education, upon recommendation of its Facilities Committee and the 7-11 Committee, of Resolution No. 1920-0207 - Declaring the Former Tilden Childhood Development Center To be Surplus and Directing the Superintendent of Schools, or designee, to Prepare the Next Steps to Pursue a Long Term Lease.

Background The Oakland Unified School District’s physical assets help provide safe, healthy, and appropriate learning environments for students in Oakland’s public schools. The Board of Education has instituted several policies to ensure that the District is first and foremost using its facilities for educational purposes for OUSD students. Secondly, if a District facility is no longer needed for educational purposes by the District, it is District policy to prioritize lease over sale.

In April 2019, the Board convened the 7-11 Committee via [Board Resolution No. 1819-0189](#), a District advisory committee made up of community members, and charged with reviewing specific vacant properties. In June 2019, the Board passed a [Board Resolution No. 1819-0247](#) to have the 7-11 Committee review 5 properties to be considered surplus: (1) Former Edward Shands Adult Education Center; (2) Former Tilden Child Development Center (CDC); (3) Former Piedmont CDC; (4) Former Webster CDC (2 classrooms); and (5) Former Sankofa CDC (4 classrooms). In January 2020, the 7-11 Committee presented the Board with the Committee’s final report, which included recommendations for surplus and recommended future use. The

final recommendation for each property is as follows (more detail is in the full report):

- 86 Echo Avenue (former Piedmont Child Development Center site): No Surplus
- 58 61st Street (former Washington/Sankofa CDC site): No Surplus
- 4551 Steele Street (former Tilden CDC site): Surplus
- 7980 Plymouth Street (former Webster CDC site): No Surplus
- 2455 Church Street (former Edward Shands Adult Education Center site): Surplus

Discussion

This item addresses the Former Tilden Childhood Development Center. Consistent with the recommendations of the 7-11 Committee for this property, the resolution would declare the property surplus. If approved by the Facilities Committee, the resolution would be forwarded to the Board for consideration.

Fiscal Impact

N/A. This item is only to declare the Former Tilden Childhood Development Center surplus. Future items will discuss the potential revenue generation from a long term lease of a surplus property.

Attachments

[7-11 Committee Report to the Board of Education](#)

[Board Resolution No. 1819-0189](#)

[Board Resolution No. 1819-0247](#)

[Former Tilden Child Development Center, 4551 Steele St\(District 4\)](#)

[Board Policy 3280](#)

[Board Policy 7350](#)

**RESOLUTION
OF THE
BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

RESOLUTION NO: 1920-0207

**Declaring the Former Tilden Childhood Development Center To be Surplus and
Directing the Superintendent of Schools, or designee, to Prepare the Next Steps to
Pursue a Long Term Lease**

WHEREAS, the Oakland Unified School District is deeply committed to the vision of Oakland being home to high quality public education options for all students and families;

WHEREAS, to realize this vision, the District's Board of Education ("Board"), directed the District's Superintendent to develop a "Citywide Plan" that promotes the long-term sustainability of publicly-funded schools across Oakland that represent quality and equitable educational options (see District's Quality School Development: Community of Schools Policy (Board Policy No. 6006));

WHEREAS, among the specific goals of the District through the Citywide Planning process is to best leverage vacant, underutilized, and surplus properties so that (i) high-quality publicly funded schools across Oakland are able to serve all of its students, (ii) a fiscally sound number of schools exist given OUSD's student population, and (iii) schools are located where more high quality options are needed;

WHEREAS, as part of the District's Citywide Planning process, the District plans to identify potentially underutilized school sites throughout the District that the District is interested in investigating further in order to help accomplish the above-discussed goals;

WHEREAS, the District, with input and guidance from the public, now desires to investigate the potential sale, lease, or rental of vacant and underutilized District school sites,

WHEREAS, the District's Facilities and Research & Development Teams have compiled a list of such vacant and underutilized District school sites to be considered first, consisting of the following: (1) Former Edward Shands Adult Education Center; (2) Former Tilden Child Development Center (CDC); (3) Former Piedmont CDC; (4) Former Webster CDC (2 classrooms); and (5) Former Sankofa CDC (4 classrooms);

WHEREAS, pursuant to Section 1.4.1 of the District's Board Bylaw No. 9131, the District's Board of Education ("Board") is required to establish advisory and oversight committees or commissions for the purpose of meeting legal requirements and to provide advice and involvement concerning matters of interest and welfare to the Board;

WHEREAS, pursuant to Education Code Section 17388, the Board, prior to the sale, lease, or rental of any excess real property, except rentals not exceeding 30 days, shall appoint a District advisory committee to advise the Board in the development of Districtwide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes;

WHEREAS, Section 3 of Board Bylaw No. 9131, consistent with Education Code Section 17387, et seq., enumerates both the duties and composition requirements of such a district advisory committee, including that the committee must consist of between seven (7) and eleven (11) members (the “7-11 Committee”); and

WHEREAS, the District has taken action to create the 7-11 Committee by the action of Board on April 10, 2019; and

WHEREAS, on January 22, 2020, the District’s 7-11 Committee submitted a final report with recommendations for surplus and potential future use for the following properties: (1) Former Edward Shands Adult Education Center; (2) Former Tilden Child Development Center (CDC); (3) Former Piedmont CDC; (4) Webster CDC (2 classrooms); and (5) Sankofa CDC (4 classrooms); and

WHEREAS, the District’s 7-11 Committee recommended to the Board that the Former Tilden Childhood Development Center be surplus. The recommended use for the Former Tilden Childhood Development Center is a long term lease for a community recreational space or workforce housing; and

NOW, THEREFORE, BE IT RESOLVED THAT, that the Board of Education finds and declares the Former Tilden Childhood Development Center to be surplus and further directs the Superintendent of Schools, or designee, to prepare the necessary steps to pursue a long term lease for the Former Tilden Childhood Development Center.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 26th day of February, 2020, by the following vote:

PREFERENTIAL AYE:	None
PREFERENTIAL NOE:	None
PREFERENTIAL ABSTENTION:	None
PREFERENTIAL RECUSED:	None
AYES:	Aimee Eng, Jumoke Hinton Hodge, Gary Yee, James Harris, Vice President Shanthi Gonzales, President Jody London
NOES:	None
ABSTAINED:	None
RECUSED:	None
ABSENT:	Student Director Garibo, Student Director Smith-Dahl, Jumoke Hinton Hodge, Roseann Torres

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on February 26, 2020.

Legislative File	
File ID Number:	20-0393
Introduction Date:	02/14/2020
Enactment Number:	20-0256
Enactment Date:	2/26/2020
By:	os

OAKLAND UNIFIED SCHOOL DISTRICT



Jody London
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

Oakland Unified School District

Board of Education
1000 Broadway, Suite 300
Oakland, CA 94607-4033
(510) 879-8199 Voice
(510) 879-2299 eFax
(510) 879-2300 eTTY/TDD
boe@ousd.org E-Mail
<http://www.ousd.org>



ACCESSIBILITY OF AGENDA AND AGENDA MATERIALS

Agenda and agenda materials are accessible at <http://www.ousd.org> or from any computer terminal in the Offices of the Board of Education and Superintendent, 1000 Broadway, Suite 300, Oakland, CA 94607-4099

AMERICANS WITH DISABILITIES ACT COMPLIANCE AND LANGUAGE SERVICES

Individuals requiring interpretation or translation services or a reasonable accommodation to participate in meetings should notify the Office of the Board of Education seventy-two (72) hours prior to the meeting at either (510)879-8199(VM); or boe@ousd.org (E-Mail); or (510) 879-2300 (eTTY/TDD); or (510) 879-2299 (eFax).

Meeting Agenda Long - Final

Monday, May 11, 2020

6:30 PM

**INTERNET STREAMED (VIA ZOOM AND GRANICUS LIVE MANAGER) AND
BROADCASTED ON KDOL-TV (Cable Channel 27) - LIVE - SIMULTANEOUSLY
AND ARCHIVED FOR NEXT DAY INTERNET RETRIEVAL
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, Andre Spearman, Mike
Beebe, Travis Ritchie***

LEY CUMPLIMIENTO PARA AMERICANOS CON DISCAPACIDADES Y SERVICIO DE IDIOMAS

Personas que requieran servicios de traducción o interpretación o facilidades razonables para participar en juntas deberán notificar a la Oficina de la Mesa Directiva de Educación setenta y dos (72) horas antes de la junta ya sea al (510)879-8199(VM); o boe@ousd.org (E-Mail); o (510) 879-2300 (eTTY/TDD); o (510) 879-2299 (eFax).

美國殘障人士法案條例遵守及語言服務

個別人士需要傳譯及翻譯服務或有合理安排去參與會議的應該在舉行會議之前的七十二 (72) 小時通知教育委員會。請致電(510)879-8199 (留言) ; 或 boe@ousd.org (電郵) ; 或(510) 879-2300 (電子文字電話/聽障專用電信設備 (eTTY/TDD)) ; 或(510) 879-2299 (電子圖文傳真 (eFax))。

TUÂN HÀNH ĐẠO LUẬT NGƯỜI MỸ KHUYẾT TẬT VÀ DỊCH THUẬT

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 buổi họp, số điện thoại (510)879-8199 (VM); hay là boe@ousd.org (E-Mail); hay là (510) 879-2300 (eTTY/TDD); hay là số (510) 879-2299 (eFax).

សេវាបកប្រែភាសា និងការអនុលោមតាមច្បាប់ជនជាតិអាមេរិកាំងពិការ

អ្នកណាដែលត្រូវការសេវាបកប្រែភាសាដោយផ្ទាល់មាត់ ឬជាលាយលក្ខណ៍ក្នុងកម្រិត ឬត្រូវការការជួយសម្របសម្រួលយ៉ាងសមរម្យ មួយ ដើម្បីចូលរួមក្នុងកិច្ចប្រជុំសាធារណៈ ត្រូវផ្តល់ដំណឹងទៅកាន់ការិយាល័យយនៃក្រុមប្រឹក្សាអប់រំ ឱ្យបានចិតសិបពី (72) ម៉ោង មុនកិច្ចប្រជុំ តាមរយៈទូរស័ព្ទលេខ (510) 879-8199 ឬតាមរយៈអ៊ីមែល boe@ousd.org ឬទូរស័ព្ទ eTTY/TDD លេខ (510) 879-2300 ឬទូរសារលេខ (510) 879-2299។

الامتثال لقانون الأمريكيين ذوي الإعاقات (ADA) وتوفير الخدمات اللغوية

من يحتاج إلى خدمات الترجمة المكتوبة أو خدمات الترجمة الفورية أو الترتيبات التيسيرية المعقولة لكي يساهم في الاجتماعات فالمرجو منه إبلاغ مكتب إدارة التعليم إثنين وسبعين (72) ساعة قبل الاجتماع بوسيلة من الوسائل التالية:

الهاتف الصوتي:	الهاتف للصم والبكم:	الفاكس الإلكتروني:	البريد الإلكتروني:
510.879.8199	510.879.2300	510.879.2299	boe@ousd.org

COMMITTEE MEMBERS ATTEND VIRTUALLY

Pursuant to the Governor's Executive Order Nos. N-25-20 and N-29-20, members of the Measures A, B, and J Committee and other designated staff, will join the meeting via phone/video conference and no teleconference locations need be posted.

•To view the meeting by Zoom video conference, please click on LINK at the Noticed meeting time. Instructions on how to join a meeting by video conference is available at:

<https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>.

*•To listen to the meeting by phone, please call at the Noticed meeting time (669) 900-9128, then enter Webinar ID **876-9524-5182**, 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 Noticed meeting from the District's Home Page - Upcoming Events & Live Meeting Video, 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>Measure G1 Commission>"In Progress" link under Video.

There are three ways to make public comment within the time allotted for public comment on an eligible Agenda item.

•To comment by Zoom video conference, click the “Raise Your Hand” button to request to speak when Public Comment is being taken on the eligible Agenda item. You

will be called on (by the name you logged in with), 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-Raise-Hand-In-Webinar>.

*•To comment by phone, press "*9" to "Raise Your Hand" to request to speak when Public Comment is being taken on the eligible Agenda Item. You will be called on (by the Area Code and the last three digits of your phone number), unmuted and allowed to make public comment. After the allotted time, 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>.

• eComment. To make a written comment, before or while a meeting is "In Progress," from the District's Home Page - Upcoming Events & Live Meeting Video, select the meeting name and click on the "eComment" link or go to the Legislative Information Center (under Board of Education on Home Page)>Calendar Tab>Calendar>Today>Board of Education>"eComment". 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.

A. Call to Order

B. Roll Call

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

Members of the public may address the Committee on any item listed on this Agenda, for three minutes per person or less, depending on the number of Speakers for the item, by Registering to Speak on the Agenda Item.

Registering to Speak may be done by one of two methods: by filing an electronic (preferred method) eComment: Sign In To Speak-Request To Speak by Legislative File Id No. or Alpha or by filing a paper Speaker Request Card, clearly identifying the item listed on the Agenda, by Legislative File Id No. or Alpha. A separate Registration to Speak is required for each Agenda Item, except all legislative files listed under the General Consent Report(s) are treated as a single item.

Registering to Speak (electronic or paper) for any and all Agenda Items for this meeting, preferably, must be received by the Committee staff or the presiding officer by the time the Committee has reached this point "C" in the Agenda of the meeting but not later than BEFORE an Agenda item is called for consideration by the presiding officer. A Registration to Speak submitted after the item has been called will be "filed."

Modification(s) to the Agenda allows for any change in the printed order of business including, but not limited to, an announcement that an Agenda item or legislative file will be considered out of Agenda printed order, that consideration of an Agenda item has been withdrawn, postponed, rescheduled or "pulled" or taken off of the Committee General Consent Report for separate discussion and/or possible action.

D. Adoption of Committee Minutes

- ✉ 📄 D.-1 [20-1015](#) **Minutes - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - March 9, 2020**
Adoption by the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of its March 9, 2020 Meeting Minutes.

Attachments: [20-1015 Minutes - Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - March 9, 2020](#)

E. Unfinished Business

- ✉ 📄 E.-1 [20-0080](#) **Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee 2017-2018 Measures B and J Audit Report - Eide Bailly**
Adoption by the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of the 2017-2018 Measures B and J Audit Report by Edie Bailly, Bond Auditor.

Attachments: [20-0080 Report - Measures A, B, & J Independent Citizens' School Facilities Bond Oversight Committee 2017-2018 Measures B and J Audit Report - Eide Bailly](#)

Legislative History

1/13/20	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed
2/10/20	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed

3/9/20 Measures A, B, and J Discussed
Independent Citizens'
School Facilities
Bond Oversight
Committee

✉ 📄 E.-2 [19-0458](#)

**Measures A, B, and J Independent Citizens' School
Facilities Bond Oversight Committee - Amendment,
2017-2018 Annual Report - Facilities Staff**

Discussion and possible adoption by the Measures A, B, and
J Independent Citizens' School Facilities Bond Oversight
Committee of an Amendment to its 2017-2018 Annual
Report.

Attachments: [19-0458 Measures A, B, & J Independent Citizens' School Facilities
Bond Oversight Committee - 2017-2018 Annual Report \(10/15/19\)](#)
[19-0458 Measures B & J August 2018 Board Approved Funding
Plan \(10/15/19\)](#)
[19-0458 Measures B & J August 2018 Revised Spending Plan
\(10/15/19\)](#)
[19-0458 Measures B & J 2017-2018 Expenditure Report \(10/15/19\)](#)

Legislative History

3/11/19 Measures A, B, and J Discussed
Independent Citizens'
School Facilities
Bond Oversight
Committee

4/8/19 Measures A, B, and J Discussed
Independent Citizens'
School Facilities
Bond Oversight
Committee

5/13/19 Measures A, B, and J Discussed
Independent Citizens'
School Facilities
Bond Oversight
Committee

8/12/19	Facilities Committee and/or Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed
9/9/19	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed
10/15/19	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Adopted

 E.-3

[20-0359](#)

**Report - Measures A, B, & J Independent Citizens'
School Facilities Bond Oversight Committee 2018-2019
Measures B and J Audit Report - Eide Bailly**

Presentation to the Measures A, B, and J Independent
Citizens' School Facilities Bond Oversight Committee by
Eide Bailly, Bond Auditor, of the 2018-2019 Measures B and
J Financial and Performance Audit Report.

Attachments: [20-0359 Report - Measures A, B, & J Independent Citizens' School
Facilities Bond Oversight Committee 2018-2019 Measures B and J
Audit Report - Eide Bailly](#)

Legislative History

2/10/20	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed
3/9/20	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed

📄 E.-4

[20-0095](#)

Amendment - Board By-Law - BB 9131 Advisory and Oversight Committees, Commissions

A discussion by the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of the of the Board of Education's adopted changes to Board By-Law - BB 9131 Advisory and Oversight Committees, Commissions.

Attachments: [20-0095 Amendment - Board By-Law - BB 9131 Advisory and Oversight Committees, Commissions](#)

Legislative History

1/13/20	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed
2/10/20	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed
3/9/20	Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee	Discussed

F. New Business

- ✉ 📄 F.-1 [20-1028](#) **Measures A, B, and J Independent Citizens School Facilities Bond Oversight Committee - California Department of Education General Waiver Request - Surplus Property Long Term Lease or Sale**
Discussion and possible adoption by the Measures A, B, and J Independent Citizens School Facilities Bond Oversight Committee approving or supporting District's request to the California State Board of Education for a General Waiver, of Education Code Sections 17455 et.seq., so as to permit the District, the option of accepting the non-highest bid for Sale or Lease of Surplus Property - Long Term - for the former Edward Shands Site and the former Tilden Child Development Center.

Attachments: [20-1028 Presentation - 7-11 Committee - California Department of Education General Waiver Request - Surplus Property Long Term Lease or Sale - Measures A, B, and J Independent Citizens School Facilities Bond Oversight Committee](#)
[20-1028 California Department of Education General Waiver Request - Template - Surplus Property Long Term Lease or Sale - Measures A, B, and J Independent Citizens School Facilities Bond Oversight Committee](#)

- F.-2 [20-1027](#) **Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee - 2018-2019 Annual Report - Facilities Staff**
Discussion by the Measures A, B, and J Independent Citizens' School Facilities Bond Oversight Committee of a development plan for its 2018-2019 Annual Report.

- F.-3 [20-1016](#) **Report - Measures A, B and J Independent Citizens' School Bond Oversight Committee Liaison - Facilities Committee Chairperson, Gary Yee**
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 April 17 and April 24, 2020, Facilities Committee Meeting.

G. 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.

G.-1 [20-1014](#) **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 - May 11, 2020**

Public Comments on All Non-Agenda Items Within the Subject Matter Jurisdiction of the Measures A, B & J Committee - May 11, 2020.

H. 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.

I. Adjournment



LABOR MANAGEMENT & EMPLOYEE RELATION

Bargaining Unit Waiver Form

Pursuant to Ed Code California Education Code § 33050 (d)

Bargaining Unit:	AFSCME Local 257
Waiver Type:	Surplus Property Long Term Lease or Sale <i>Waiver of California Education Code Section 17455, requirement to offer lease of property to the highest bidder.</i>
Meeting Date:	May 1, 2020
Description of Waiver Requested:	See 7-11 Committee's Recommendation Below

Facility	7-11 Committee's Recommended Use	Please select one option to indicate the position of the bargaining unit listed above <input checked="" type="checkbox"/> Neutral <input type="checkbox"/> Support <input type="checkbox"/> Oppose Note: If opposed please specify the reason.
2455 Church Street Former Edward Shands Adult Education Center Site	Multi-Use Facility for affordable/workforce housing and workforce development.	<input checked="" type="checkbox"/> Neutral <input type="checkbox"/> Support <input type="checkbox"/> Oppose (reason below)



LABOR MANAGEMENT & EMPLOYEE RELATION

<p>4551 Steele Street</p> <p>Former Tilden Child Development Center Site</p>	<p>Community park for children, affordable/workforce housing.</p>	<p><input checked="" type="checkbox"/> Neutral <input type="checkbox"/> Support <input type="checkbox"/> Oppose (reason below)</p>
---	---	---

Other Comments:

For AFSCME Local 257:

Melisha Linzie
Melisha Linzie, President

5/22/2020
Date

Jo Bates
Jo Bates, Business Agent

Date

Signature:

Email:

Signature:

Email:



LABOR MANAGEMENT & EMPLOYEE RELATION

Bargaining Unit Waiver Form
Pursuant to Ed Code California Education Code § 33050 (d)

Bargaining Unit:	Oakland Education Association ("OEA")
Waiver Type:	Surplus Property Long Term Lease or Sale <i>Waiver of California Education Code Section 17455, requirement to offer lease of property to the highest bidder.</i>
Meeting Date:	May 1, 2020
Description of Waiver Requested:	See 7-11 Committee's Recommendation Below

Facility	7-11 Committee's Recommended Use	Please select one option to indicate the position of the bargaining unit listed above <input type="checkbox"/> Neutral <input type="checkbox"/> Support <input type="checkbox"/> Oppose Note: If opposed please specify the reason.
2455 Church Street Former Edward Shands Adult Education Center Site	Multi-Use Facility for affordable/workforce housing and workforce development.	<input type="checkbox"/> Neutral <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose (reason below) <i>See attached policy statement</i>



LABOR MANAGEMENT & EMPLOYEE RELATION

<p>4551 Steele Street Former Tilden Child Development Center Site</p>	<p>Community park for children, affordable/workforce housing.</p>	<p><input type="checkbox"/> Neutral <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose (reason below)</p> <p>See attached policy statement</p>
--	---	---

Other Comments:

OUSD is a leader in the early childhood to adult education programs that OEA opposes the sale of any "surplus" property. A unanimous vote to adopt the resolution from the current 2019-2023 OEA employee contract.

For Oakland Education Association ("OEA")

Keith D. Brown
Keith Brown, President

5/21/20
Date

_____ Date

Signature:

Email: president@oaklandea.org

OEA 2



OAKLAND EDUCATION ASSOCIATION
272 East 12th Street, Oakland, CA 94606
P: (510) 763-4020 F: (510) 763-6354
Affiliated with CTA, NEA and the AFL-CIO

**Oakland Executive Board Resolution around 7-11 Property
Committee, from 12/03/19 meeting**

“Moved that due to the lack of a comprehensive plan to utilize OUSD Facilities in the early childhood to adult education programs that OEA opposes the sale of any " surplus" properties.” (Unanimous vote to adopt this resolution from the current 2019-2020 OEA executive board)

OEA 3

www.oaklandea.org

Oakland Tribune

600 Grand Ave., #308
Oakland, CA 94610
510-723-2850

2053027

OAKLAND USD
EDGAR RAKESTRAW JR.
1000 BROADWAY #680
OAKLAND, CA 94607

PROOF OF PUBLICATION

FILE NO. General Waiver Request 6/10/20

In the matter of

Oakland Tribune

The Oakland Tribune

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Oakland Tribune, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

I declare that The Oakland Tribune is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order, dated December 6, 1951, in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Oakland Tribune as a Newspaper of General Circulation, Case Number 237798. Said order states that "The Oakland Tribune is a newspaper of general circulation within the City of Oakland, and the County of Alameda, and the State of California, within the meaning and intent of Chapter 1, Division 7, Title 1 [§§ 6000 et seq.], of the Government Code of the State of California." Said order has not been revoked, vacated, or set aside.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

05/29/2020, 06/05/2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: June 5, 2020



Public Notice Advertising Clerk

Legal No.

0006487762

OAKLAND UNIFIED SCHOOL DISTRICT NOTICE OF PUBLIC HEARING

REQUEST TO THE CALIFORNIA STATE BOARD OF EDUCATION TO WAIVE EDUCATION CODE SECTIONS 17455, ET SEQ., PERMITTING THE DISTRICT, THE OPTION OF ACCEPTING THE NON-HIGHEST BID FOR SALE OR LEASE OF SURPLUS PROPERTY - LONG TERM - FOR THE FORMER EDWARD SHANDS SITE AND THE FORMER TILDEN CHILD DEVELOPMENT CENTER

TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that on Wednesday, June 10, 2020, the Oakland Unified School District, at a Regular Meeting of the Governing Board (Board), will hold a Public Hearing on a General Waiver Request (Waiver) to the California Board of Education seeking waiver of Education Code Sections 17455, et seq., which if granted, will permit the District the option of accepting the non-highest bid for Sale or Lease of Surplus Property - Long Term - for the former Edward Shands Site and the former Tilden Child Development Center. The Waiver is being sought to give the District maximum flexibility in determining best use of said properties including consideration of advice received from its citizen advisory committees, among other stakeholders.

The Public Hearing will be held June 10, 2020, at 6:00 p.m., or as soon thereafter as the matter may be heard, at the virtually telecasted meeting of the Board on that date in accordance with any and all COVID-19 and related requirements of the Alameda County Public Health Officer in effect on that date.

The purpose of the public hearing is to receive comments from the Public on the District's request for a Waiver of that portion of Education Code Sections 17455, et seq., as stated previously, and to make any modifications thereto, if warranted.

A copy of the Waiver will be available for review prior to the Public Hearing on the Internet on May 29, 2020, at <http://www.ousd.org/domain/69>.

s/ Kyla Johnson-Trammell
Secretary, Governing Board
Oakland Unified School District
OT #6487762; May 29; Jun 5, 2020