

# Oakland Unified School District

Board of Education  
Paul Robeson Building  
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## Minutes (Long)

**Wednesday, February 18, 2009**

**5:00 PM**

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

## Facilities Committee

*Noel Gallo, Chairperson  
Christopher Dobbins, Member  
Jody London, Member*

## A. Call to Order

*Chairperson Noel Gallo called the meeting to order at 5:11 p.m.*

## B. Roll Call

**Roll Call:** Present: Christopher Dobbins and Noel Gallo

Absent: Jody London

## C. Modification(s) To Agenda

*There were no modifications to the agenda.*

## C1. Minutes, Committee Meeting



### [09-0571](#) Minutes - Facilities Committee - February 3, 2009

Approval by Facilities Committee of its Meeting Minutes of February 3, 2009 .

**Attachments:** [09-0571 - Minutes - Facilities Committee - February 3, 2009](#)

**A motion was made by Noel Gallo, seconded by Christopher Dobbins, that this matter be Adopted. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 0  
Nay: 0  
Recused: 0  
Absent: 1 - Jody London  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## D. Adoption of the Committee General Consent Report



### [09-0516](#) Professional Services Agreement - Anthony Ogbeide Associates - Tilden Elementary School Project

Approval by Board of Education of Professional Services Agreement between District and Anthony Ogbeide Associates, Castro Valley, CA, for the latter to provide Division of State Architect (DSA) inspections in conjunction with the Tilden Elementary School Project for the period commencing January 26, 2009 and concluding upon completion of the project, or permanent abandonment of the Project by the District, or February 18, 2009, whichever occurs first in an amount not-to-exceed \$4,080.00.

**Funding Source: General Purpose**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0518**

**Professional Services Agreement - Arthur Young Debris Removal - District-wide Vegetation Management and Fire Suppression Project**

Approval by Board of Education of Professional Services Agreement between District and Arthur Young Debris Removal, Oakland, CA, for the latter to remove all vegetation on hillsides, trails and slopes, fence lines, fields, schoolyards and playground areas and various other items district wide as described herein in conjunction with the District-wide Vegetation Management and Fire Suppression Project for the period commencing July 1, 2008 and concluding no later than June 30, 2009 in an amount not-to-exceed \$150,000.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0519**

**Professional Services Agreement - Graham Tree Service - District-wide Tree Management Service Project**

Approval by Board of Education of Professional Services Agreement between District and Graham Tree Service, San Leandro, CA, for the latter to trim heavy over grown trees and or remove dead fallen trees from various school sites in conjunction with the District-wide Tree Management Service Project for the period commencing July 1, 2008 and concluding no later than June 30, 2009 in an amount not-to-exceed \$72,000.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0520**

**Professional Services Agreement - Chain Link Fence, Inc. - District-wide Fence Repair Project**

Approval by Board of Education of Professional Services Agreement between District and Chain Link Fence, Inc., Livermore, CA, for the latter to provide installation of new and repair of existing fencing throughout the District as needed in conjunction with the District-wide Fence Repair Project for the period commencing January 1, 2009 and concluding no later than December 31, 2009 in an amount not-to-exceed \$250,000.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0521**

**Professional Services Agreement - Chain Link Fence, Inc. - Stonehurst Elementary School Project**

Approval by Board of Education of Professional Services Agreement between District and Chain Link Fence, Inc., Livermore, CA, for the latter to provide removal and relocation of 61 lft of 8' iron fencing, install 122 lft of 8' iron fence to match existing and various other items described herein in conjunction with the Stonehurst Elementary School Project for the period commencing January 1, 2009 and terminating July 1, 2009 in an amount not-to-exceed \$16,900.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0522**

**Professional Services Agreement - Jason Zalinski - Cox Elementary School Modernization Project**

Approval by Board of Education of Professional Services Agreement between District and Jason Zalinski, Newman, CA, for the latter to provide Division of State Architect (DSA) inspections in conjunction with the Cox Elementary School Modernization Project for the period commencing November 7, 2008 and shall concluding upon completion of the project, or permanent abandonment of the Project by the District, December 31, 2009, whichever occurs first in an amount not-to-exceed \$27,000.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0523**

**Professional Services Agreement - Jason Zalinski - Cox New Classroom Building Project**

Approval by Board of Education of Professional Services Agreement between District and Jason Zalinski, Newman, CA, for the latter to provide Division of State Architect (DSA) inspections in conjunction with the Cox New Classroom Building Project for the period commencing November 7, 2008 and concluding upon completion of the project, or permanent abandonment of the Project by the District, or December 31, 2010, whichever occurs first in an amount not-to-exceed \$262,800.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

[09-0524](#)**Professional Services Agreement - Jensen Van Lienden Associates, Inc. - Oakland High School Modernization Project**

Approval by Board of Education of Professional Services Agreement between District and Jensen Van Lienden Associates, Inc., Berkeley, CA, for the latter to provide a study of soil conditions in the area of proposed new building G, to include Plan Review and Construction Observation of supporting structures, pursuant to proposal dated October 23, 2008, in conjunction with the Oakland High School Modernization Project for the period commencing January 19, 2009 and concluding no later than April 30, 2009 in an amount not-to-exceed \$8,500.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

[09-0525](#)**Professional Services Agreement - JTS Tree Service - District-wide Tree Trimming Project**

Approval by Board of Education of Professional Services Agreement between District and JTS Tree Service, Hayward, CA, for the latter to safely trim all trees which are in danger to the public and or buildings at various school sites in conjunction with the District-wide Tree Trimming Project for the period commencing September 1, 2008 and concluding no later than June 30, 2009 in an amount not-to-exceed \$72,000.00.

**Funding Source: General Purpose**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

[09-0526](#)**Professional Services Agreement - KCP - Downtown Educational Complex Project**

Approval by Board of Education of Professional Services Agreement between District and KCP, Oakland, CA, for the latter to provide boundary, topography and utility report for the Downtown site, approximately 5.65 acres located on E.10th Street, between 2nd Avenue and 4th Avenue, which is proposed for the Educational Complex and various other items described herein in conjunction with the Downtown Educational Complex Project for the period commencing January 13, 2009 and concluding no later than June 13, 2009 in an amount not-to-exceed \$34,600.00.

**Funding Source: Developer Fees**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

[09-0527](#)**Professional Services Agreement - National Elevator - District-wide Elevator Repair Project**

Approval by Board of Education of Professional Services Agreement between District and National Elevator, Pleasanton, CA, for the latter to provide repair services for the number of elevator deficiencies as published by the Districts elevator consultant and various other items described herein in conjunction with the District-wide Elevator Repair Project for the period commencing December 19, 2008 and concluding no later than December 31, 2008 in an amount not-to-exceed \$28,962.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0528**

**Professional Services Agreement - R&J Ornamental Iron Works - Chabot Elementary School Portable Replacement Project**

Approval by Board of Education of Professional Services Agreement between District and R&J Ornamental Iron Works, Oakland, CA, for the latter to construct and install two custom made window guards with extended metal screens over the windows in the library doors in conjunction with the Chabot Elementary School Portable Replacement Project for the period commencing November 3, 2008 and terminating November 15, 2008 in an amount not-to-exceed \$150.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0529**

**Professional Services Agreement - Schirmer Engineering - District-Wide Fire Alarm Consulting Services Project**

Approval by Board of Education of Professional Services Agreement between District and Schirmer Engineering, Concord, CA, for the latter to provide designing of Fire Alarm Systems, reviewing of fire alarm designs by other fire alarm consultants, advising the District as to fire alarm requirements in District schools and participation in the fire alarm test in conjunction with the District-Wide Fire Alarm Consulting Services Project for the period commencing January 2, 2009 and concluding no later than January 2, 2010 in an amount not-to-exceed \$100,000.00.

**Funding Source: General Purpose**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0530**

**Professional Services Agreement - Simplex Grinnell - Castlemont Auditorium Renovations Project**

Approval by Board of Education of Professional Services Agreement between District and Simplex Grinnell, Livermore, CA, for the latter to provide supervision to the electrical contractor and/or low-voltage installer of the fire alarm system during the following critical path periods: conduit installation, wire pulling, wire continuity review/testing, termination/trimming of devices and var in conjunction with the Castlemont Auditorium Renovations Project for the period commencing December 1, 2008 and concluding no later than June 30, 2009 in an amount not-to-exceed \$7,560.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0531**

**Professional Services Agreement - Skyline Engineering, Inc. - Cox New Classroom Building Project**

Approval by Board of Education of Professional Services Agreement between District and Skyline Engineering, Inc., Gilroy, CA, for the latter to to perform twelve (12) roof installation inspections; inspections will be performed during roof installation and a report sent to District after each inspection and various other items described herein in conjunction with the Cox New Classroom Building Project for the period commencing November 4, 2008 and concluding no later than December 31, 2009 in an amount not-to-exceed \$6,000.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0532**

**Professional Services Agreement - Star Elevator - Calvin Simmons Middle School Modernization Project**

Approval by Board of Education of Professional Services Agreement between District and Star Elevator, San Carlos, CA, for the latter to to repair, replace, correct all items listed on the elevator deficiency list dated October 7, 2006, for the elevator located in Building F/G/H as defined in the consultants proposal attached to the extent that the language of the proposal is subordinate to and not inconsistent with the terms and conditions of the Agreement, in conjunction with the Calvin Simmons Middle School Modernization Project for the period commencing December 1, 2008 and concluding no later than June 30, 2009 in an amount not-to-exceed \$50,952.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0533**

**Professional Services Agreement - Testing Engineers - Cox New Classroom Building Project**

Approval by Board of Education of Professional Services Agreement between District and Testing Engineers, San Leandro, CA, for the latter to provide Division of State Architect (DSA) Special inspections, including testing of CIP Concrete, Masonry, Structural Steel, Engineering Services, AC Paving, Base Compaction, Site Concrete, and a Final Verified Report for DSA Closeout, in conjunction with the Cox New Classroom Building Project for the period commencing November 1, 2008 and concluding no later than December 31, 2010 in an amount not-to-exceed \$60,332.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0534**

**Professional Services Agreement - Testing Engineers - Cox Elementary School Modernization Project**

Approval by Board of Education of Professional Services Agreement between District and Testing Engineers, San Leandro, CA, for the latter to provide Division of State Architect (DSA) Special inspections, including testing or inspection of Rebar, CIP Concrete, Structural Steel, Wood Shear System, Engineering Services and a Final Verifleet Report as required by DSA, in conjunction with the Cox Elementary School Modernization Project for the period commencing November 4, 2008 and concluding no later than December 31, 2009 in an amount not-to-exceed \$12,649.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0535**

**Professional Services Agreement - The Workshop MB - District-wide Auto Repair Project**

Approval by Board of Education of Professional Services Agreement between District and The Workshop MB, Oakland, CA, for the latter to provide brakes service, tune-ups for pickups, vans, and autos for the Building and Grounds fleet for the period commencing January 1, 2009 and concluding no later than December 31, 2009 in an amount not-to-exceed \$50,000.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0540**

**Amendment No. 2 - ACC Environmental Consultants - Cox Elementary School Modernization Project**



Approval by Board of Education of Amendment No. 2 to Professional Services Agreement between District and ACC Environmental Consultants, Oakland, CA, for the latter to provide additional supervision of abatement contractor and air monitoring during removal of flooring and miscellaneous abatement in Building A, B and C as well as the demolition of Portables P-32, P-33, P-34 and P-35 and various other items described herein in conjunction with the Cox Elementary School Modernization Project in an additional amount not-to-exceed \$14,040.00, increasing the Agreement from \$18,830.00 to a not-to-exceed amount of \$32,870.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0541**

**Amendment No. 3 - ACC Environmental Consultants - Chabot Elementary School Portable Replacement Project**

Approval by Board of Education of Amendment No. 3 to Professional Services Agreement between District and ACC Environmental Consultants, Oakland, CA, for the latter to provide additional air monitoring and project manager services for the removal of asbestos containing materials, including air monitoring, visual inspection, on-site management or contractors activities and various other services described herein in conjunction with the Chabot Elementary School Portable Replacement Project in an additional amount not-to-exceed \$14,840.00, increasing the Agreement from \$25,418.00 to a not-to-exceed amount of \$40,258.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0542**

**Amendment No. 6 - Byrens Associates - Madison Middle School Modernization Project**

Approval by Board of Education of Amendment No. 6 to Professional Services Agreement between District and Byrens Associates, Oakland, CA, for the latter to provide additional services for changes to the contract that required additional architectural services due to an unforeseen condition, such as repairing wood rot discovered during window replacement, re-engineering framing in existing covered walkway entrance and for the mechanical engineering to conduct a submittal review and two site inspections for changes to the HVAC control system in conjunction with the Madison Middle School Modernization Project in an additional amount not-to-exceed \$24,852.00, increasing the Agreement from \$759,159.00 to a not-to-exceed amount of \$784,012.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

[09-0543](#)**Amendment No. 1 - E-3 Systems - Downtown Relocation Project**

Approval by Board of Education of Amendment No. 1 to Professional Services Agreement between District and E-3 Systems, Union City, CA, for the latter to install additional voice and data cabling for thirteen (13) locations to existing Intermediate Distribution Frame (IDF) and adding approximately 250 feet of Panduit LD5 which latch duct, ceiling fitting couplers for thirty-six (36) new locations in conjunction with the Downtown Relocation Project in an additional amount not-to-exceed \$7,910.72, increasing the Agreement from \$18,596.46 to a not-to-exceed amount of \$26,507.18. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: State School Building Fund**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

[09-0544](#)**Amendment No. 3 - Greenbank Associates - High Performance School (CHPS) Project**

Approval by Board of Education of Amendment No. 3 to Professional Services Agreement between District and Greenbank Associates, Piedmont, CA, for the latter to provide design support to incorporate maximum feasible high performance schools scope in current facilities projects, due to District request for continued and additional services per the attached proposal which is incorporated into the contract to the extent that it is subordinate to and not inconsistent with the contract terms in conjunction with the High Performance School (CHPS) Project in an additional amount not-to-exceed \$89,000.00, increasing the Agreement from \$159,000.00 to a not-to-exceed amount of \$248,000.00, and extending the end date from December 31, 2007 to July 31, 2010. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

[09-0545](#)**Amendment No. 2 - Hardison, Komatsu, Ivelich and Tucker (HKIT) - Jefferson Elementary School Portable Replacement Project**

Approval by Board of Education of Amendment No. 2 to Professional Services Agreement between District and Hardison, Komatsu, Ivelich and Tucker (HKIT), Oakland, CA, for the latter to provide additional design for the relocation of four existing portables from upper playground area to the middle playground area in conjunction with the Jefferson Elementary School Portable Replacement Project in an additional amount not-to-exceed \$75,100.00, increasing the Agreement from \$1,776,000.00 to a not-to-exceed amount of \$1,851,100.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**[09-0546](#)**

**Amendment No. 2 - Inspection Services, Inc. - Chabot Elementary School  
Portable Replacement Project**

Approval by Board of Education of Amendment No. 2 to Professional Services Agreement between District and Inspection Services, Inc., San Francisco, CA, for the latter to provide additional welding inspections as required by Division of State Architect (DSA) project inspector in conjunction with the Chabot Elementary School Portable Replacement Project in an additional amount not-to-exceed \$4,069.00, increasing the Agreement from \$72,431.00 to a not-to-exceed amount of \$76,500.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**[09-0547](#)**

**Amendment No. 2 - Simplex Grinnell - Oakland High School  
Modernization-Williams Settlement Project**

Approval by Board of Education of Amendment No. 2 to Professional Services Agreement between District and Simplex Grinnell, Livermore, CA, for the latter to provide additional time for supervision of fire alarm installation, pre-testing, final fire alarm testing and re-programming, as required in conjunction with the Oakland High School Modernization-Williams Settlement Project in an additional amount not-to-exceed \$17,940.00, increasing the Agreement from \$29,090.00 to a not-to-exceed amount of \$47,030.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**[09-0549](#)**

**Project Budget Increase - Life Academy Site Assessment Project**

Approval by Board of Education of Resolution No. 0809-0102 on behalf of the District authorizing and approving the Project Budget Increase for the Life Academy Site Assessment Project in the amount of \$25,000.00, increasing the current amount from \$182,500.00 to \$207,500.00.

**Funding Source: State School Building Fund**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**[09-0550](#)**

**New Project Budget, Key Code, Project Number - Lowell Walkway  
Replacement Project**

Approval by Board of Education of Resolution No. 0809-0101 on behalf of the District authorizing and approving the New Project Budget, Key Code and Project Number for Lowell Walkway Replacement Project in the amount of \$441,000.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0551**

**New Project Budget, Key Code, Project Number - Lincoln Building A Roof Replacement Project**

Approval by Board of Education of Resolution No. 0809-0100 on behalf of the District authorizing and approving the New Project Budget, Key Code and Project Number for Lincoln Building A Replacement Project in the amount of \$171,600.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0552**

**New Project Budget, Key Code, Project Number - Carl Munck Paving Refurbishment Project**

Approval by Board of Education of Resolution No. 0809-0099 on behalf of the District authorizing and approving the New Project Budget, Key Code and Project Number for Carl Munck Paving Refurbishment Project in the amount of \$35,000.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0554**

**New Project Budget, Key Code and Project Number - Claremont Gym Roof Replacement Project**

Approval by Board of Education of Resolution No. 0809-0098 on behalf of the District authorizing and approving the New Project Budget, Key Code and Project Number for Claremont Gym Roof Replacement Project in the amount of \$105,050.00.

**Funding Source: Deferred Maintenance**

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

**This Matter was Recommended Favorably on the Consent Agenda.**



**09-0555**

**New Project Budget, Key Code and Project Number - Lowell Shop Building Roof Replacement Project**

Approval by Board of Education of Resolution No. 0809-0092 on behalf of the District authorizing and approving the New Project Budget, Key Code and Project Number for Lowell Shop Building Roof Replacement Project in the amount of \$86,900.00.

**Funding Source: Deferred Maintenance****Attachments:** [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

**[09-0556](#)****New Project Budget, Key Code, Project Number - Glenview Lower Yard Paving Replacement Project**

Approval by Board of Education of Resolution No. 0809-0093 on behalf of the District authorizing and approving the New Project Budget, Key Code and Project Number for Glenview Lower Yard Paving Replacement Project in the amount of \$615,835.00.

**Funding Source: Deferred Maintenance****Attachments:** [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

**[09-0557](#)****Change Order No. 1 - Western Roofing Service - Elmhurst Middle School Roofing Project**

Approval by Board of Education of Change Order No. 1 to Construction Contract between District and Western Roofing Service, San Francisco, CA, for the latter to provide credit for unused allowance in conjunction with the Elmhurst Middle School Roofing Project in the amount of (\$25,000.00), decreasing the Agreement from \$468,900.00 to \$443,900.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: Deferred Maintenance****Attachments:** [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

**[09-0558](#)****Change Order No. 1 - West Coast Contractors - Hoover Elementary School Modernization Project**

Approval by Board of Education of Change Order No. 1 to Construction Contract between District and West Coast Contractors, Fairfield, CA, for the latter to relocate walls in Building D, remove gas range and dishwasher, install water valves at Bldg B and D and various other items described herein in conjunction with the Hoover Elementary School Modernization Project in the additional amount of \$40,486.00, increasing the Agreement from \$3,478,000.00 to \$3,518,486.00. All other terms and conditions of the Agreement remain in full force and effect.

**Funding Source: General Obligation Bond-Measure B****Attachments:** [Document\(s\)](#)

This Matter was Recommended Favorably on the Consent Agenda.

**[09-0559](#)****Award of Bid and Construction Contract - Focon, Inc. - Stonehurst Elementary School Small School Conversion Project**

Approval by Board of Education of Resolution No. 0809-0085 - Award of Bid and Construction Contract to Focon, Inc., Oakland, CA, for the latter, as the lowest responsive, responsible bidder and rejecting all other bids, if any, to install support services (power low voltage, water) for two new portable classrooms at the back of the school and various other items described herein in conjunction with the Stonehurst Elementary School Small School Conversion Project for the period commencing December 8, 2008 and ending March 7, 2009 in the amount of \$198,751.00.

**Funding Source: General Obligation Bond-Measure B**

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

**This Matter was Recommended Favorably on the Consent Agenda.**

## Passed The General Consent Report

**A motion was made by Christopher Dobbins, seconded by Noel Gallo, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 2 - Christopher Dobbins and Noel Gallo  
Nay: 0  
Recused: 0  
Absent: 1 - Jody London  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

## E. Unfinished Business



### 09-0371 City of Oakland - District Joint Facilities Use Agreement

Approval by Board of Education new Joint Facilities Use Agreement Between the District and the City of Oakland for the period November 3, 2008 through June 30, 2013.

**Attachments:** [09-0371 - City of Oakland - District Joint Facilities Use Agreement.pdf](#)

#### *Committee Member Comments*

*Director Dobbins said he reviewed the Agreement but did not see where community organizations such as the Boy Scouts and Neighborhood Crime Prevention groups had access to the facilities unless they paid. He would like to see community groups use the facilities.*

*Director Gallo said he is tabling this item to the next Facility Committee Meeting because there are costs to the District and the sites listed are primarily OUSD sites. We want to do*

*an equal sharing of sites. There are custodial costs and somebody has to pay the costs and currently we are incurring the cost associated with the Joint Use Agreement with the City. Director Gallo said it has to be a fair trade between the District and the City of Oakland. Superintendent Mayor asked Director Gallo to provide staff with a list of City sites that should be included in the Joint Use Agreement.*

**Tabled to a Date Certain**

**09-0572 Life Academy - Long-Term Facility Site  
Review/Analysis/Options/Recommendation**

Adoption by Board of Education, upon recommendation of Facilities Committee, of a directive to the Superintendent of Schools requiring presentation of recommendation to the Board by June 24, 2009 (second extension of time from February 25, 2009) of permanent location for Life Academy within the Oakland High School Attendance Area; accompanied by staff report on the status of a) Structural Engineer's findings on the cost of making the 2111 International Boulevard Building compliant with the California Field Act; b) identification of feasible physical locations for Life Academy within the Oakland High School Attendance Area; and c) state of Life Academy in the aftermath of its current temporary and projected permanent locations.

*Public Speakers on the item.*

*Paula Guzman*

*Paula Guzman reminded the Committee of the commitment made by the District at a meeting last year: (1) The District would make a study of the building at 2111 International Boulevard . (2) A search for an alternative site for Life Academy.*

*Adam Roberts*

*Adam Roberts said we are still educating the students, but there are challenges with the move such as: attendance, tardiness, negative interaction with the middle school, and slightly lower morale among students and teachers. Not confident in the future location of the school and how they have been treated by the District in the past.*

*Erik Rice*

*Erik Rice, Principal of Life Academy*

*We have been meeting on a monthly basis with District staff and appreciates the level of partnership that has developed. The community is excited about the return to 2111 International Boulevard or a new campus.*

*Timothy White*

*Mr. White said he is requesting the item be referred to the Board to put it off action until we receive the structural evaluation from the firm we hired. We are scheduled to received the report in early June and present the report to the full Board at the last Board Meeting in June. We will bring back in June the things requested by the Board associated with the two options as well as the two options the Superintendent directed we looked at. The final option is to look at Calvin Simmons as well.*

*Roberta Mayor*

*Superintendent Mayor said there were a lot of concerns made about commitments made, but she said times have changed and the economy has changed. When you don't have the funds, sometimes plans have to be reconsidered. Superintendent Mayor reminded everyone of the current economic conditions.*

*Chairperson Gallo asked Mr. White to present before the Committee in early March a full presentation giving a complete financial picture of Facilities including the Obligation Bond Fund, Capitol Funds, Deferred Maintenance and any type of funding source we have available. Chairperson Gallo said we need to reevaluate our Facilities Master Plan and at the elementary level we may want to look at the K-8 concept at some sites.*

**Recommended Favorably**

## F. New Business



[09-0570](#)

### **Restructuring of Instructional Program and Redesignation of Facilities Housing Tilden School (Second Presentation)**

Approval by the State Administrator and Board of Education of Joint Resolution No. 0809-0141 - Approving the restructuring of the Tilden School Instructional Program and the redesignation of physical Facilities necessary to house such restructured instructional program.

**Attachments:** [09-0570 - Restructuring of Instructional Program and Redesignation of Facilities Housing Tilden School.ppt](#)  
[09-0570 - Restructuring of Instructional Program and Redesignation of Facilities Housing Tilden School \(Second Presentation\).ppt](#)

*Public Comments*

*Jody Brooks*

- 1. Aware of the mold problem at Tilden. Do we know if mold, pollution, and other environmental issues are at the four proposed sites?*
- 2. We heard a speaker from an environmental group last night say the pollution around Brookfield School and the I-880 Freeway is major. It contributes to asthma and kids miss school due to asthma.*
- 3. Does the school have ADA accessibility?*

*Ms. Brooks asked the Committee to consider the problems at Tilden and to make sure wherever you plan to move the students that it is better than the site they are leaving and the new site better meet the needs of the students.*

*Alona Rosen*



*Alona Rosen said Tilden is the safest it has been in the four years she has worked there. She loves working at Tilden and the community they have built. Ms. Rosen said she does not want to see the school split up among four campuses.*

*Courtney Woolverton*

- 1. A lot of the safety concerns we had last year are a lot closer to a safe environment.*
- 2. Agrees the ratio to Special Education Students to General Education Students is not appropriate at the moment.*
- 3. Thought the facility condition would not be a factor for closing the school.*
- 4. Worries the process is moving too fast.*

*Kristen Zimmerman*

- 1. Has not been to Brookfield but the quality of the air and the environment is horrendous. Her son went to Korematsu last school year which is in the same area. Asthma and sickness in the area is incredible.*
- 2. Tilden has a community of teachers and parents who have invested in each other, they care about each other, and they care about what they are doing at Tilden.*
- 3. Wants a body of teachers who gets what special needs is about and we have that at Tilden.*
- 4. The staff and student body will be split between four schools and each have a different culture.*

*Brad Stam, Timothy White, and Lisa Cole gave the staff report on Tilden Relocation. The report included an overview, facilities issues, engagement/outreach, relocation factors, Tilden relocation factors, Tilden proposal, financial implications, and staff recommendation.*

*Brad Stam, Chief Academic Officer*

*Mr. Stam said student population is about 65% Special Day Class Students and 35% Regular Education.*

*In 2007-2008 Tilden went through a redesign process to rebalance the SDC and General Education populations and enhance the educational program. Spring of 2008 at the end of the design phase, several facilities issues were identified that resulted in significant repairs. Spring 2008 as a result of the facility issues, Cabinet decided to vacate the Lower Tilden and the students were moved to Middle Tilden and Burckhalter School. We agreed to review a long term solution in the fall of 2008. After much discussion we decided to relocate for the 2009-2010 school year because the current facility is not adequate for the students. In December 2008 the Board approved staff's recommendation to engage with the Tilden Community and review the relocation options for the 2009-2010 school year.*

*Timothy White, Assistant Superintendent for Facilities*

*Mr. White said a lot of the facility issues at Tilden had its beginning with Williams Complaints that were filed by the school site. Facility issues included: Fire alarm/public address/telephone (completed Fall 2008), difficult terrain and accessibility issues for special need students (given terrain, we will not be able to make site accessible), mold, and mildew. The current program expanded far beyond what it should have. The estimated cost to renovate Upper Tilden due to the above issues is \$1Million.*

*Financial implications associated with the move - Capitol Improvement Fund  
Bella Vista - \$10,000; Brookfield - \$25,000; Purchaser - \$700,000; Howard - \$15,000*

*Brad Stam*

*Last fall we met several times regarding the facilities issues and this fall we met with the Tilden community several times to discuss the relocation options. Several walkthroughs were conducted at Tilden as well as the site proposed for relocation with some parents participating at the receiving sites.*

*Relocation Factors, needs of the students, continuum of service at each location, Special Education/General Education balancing, and site capacity.*

*Tilden relocation proposal considerations:*

*To place in clusters at as few sites as possible; to hold parent and teacher vision as much as possible; and the need to rebalance current ratio of SDC and General Education student population*

*Lisa Cole, Executive Director Exceptional Children's Program*

*We have spent the last two years working on a continuum. We identified four sites for the proposed relocation; Bella Vista, Brookfield, Burckhalter, and Howard Elementary Schools. We had to do some walkthroughs at these sites and have a conversation with the principals prior to presenting the options.*

*The staff recommendation is for Committee approval sending this item to the full Board for approval. If approved, the next steps would be communication to parents regarding the outcome, assignment of teachers, facilities timeline and process for moving.*

*Committee Members Comments*

*Director Dobbins wanted to know what would happen to the Tilden staff. Ms. Cole said the teachers would follow the program needs of the students at Tilden. The principal would be reassigned, speech and language teachers would be assigned appropriately, and the front office person is retiring.*

*Chairperson Gallo said in the future anytime items are brought to this Committee for action, he recommends the following items are a part of it: The item meets state and federal statues; the item meets legal requirements; the financial impact to the District*

*identifying which fund will be used; and the academic impact.*

*Recommendation from Interim Superintendent Mayor - Superintendent Mayor thinks the Tilden site is no longer appropriate for the programs there. Based on parent input we are going to look at other sites. We heard your concerns about Brookfield. We will come back to this Committee and Teaching and Learning Committee with an alternative scenario that does not cost a lot in moving costs.*

*Director Gallo said since we did not have all the financial information necessary to make a decision, he is not recommending sending this to the full Board for consideration at the next Board Meeting. Superintendent Mayor said the plan is to present this to the full Board at the March 11th meeting.*

**Discussed**

### **09-0573 Comprehensive Report - All District Facilities Projects**

Report from the Assistant Superintendent of Schools, Buildings and Grounds, Facilities and Custodial Services on the status all Facilities Projects of the District including but not limited to the Measure B Master Plan including but not limited to projects completed, projects underway, and projects anticipated to be completed through exhaustion of the Bond; and on other state and/or federally funded facilities projects.

**Tabled**



### **09-0574 Monitoring Report - Policy Type: Operation Expectation (OE) 10 - Facilities (20 Minutes)**

Adoption by Board of Education of Superintendent of Schools Monitoring Report - Policy Type: Operation Expectation (OE) 10 - Facilities (20 Minutes).

**Attachments:** [09-0574 - Monitoring Report - Policy Type: Operation Expectation \(OE\) 10 - Facilities.pdf](#)

**Tabled to a Date Certain**

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

*None.*

## **H. Chairperson's Statement Disclosing Item(s) to be Discussed in Closed Session Today**

*Not applicable.*

## **I. Closed Session Item(s):**

*Not applicable.*

**J. Recess to Closed Session**

*Not applicable.*

**K. Reconvene to Public Session**

*Not applicable.*

**L. Second Roll Call**

*Not applicable.*

**M. Chairperson's Statement of Reportable Action Taken in Closed Session and the Vote or Abstention of Members Present, if any.**

*Not applicable.*

**N. Introduction of New Legislative Matter**

*There was no Introduction of New Matter.*

**O. Adjournment**

*Chairperson Gallo adjourned the meeting at 6:52 p.m.*

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

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