

# Oakland Unified School District

Board of Education  
Paul Robeson Building  
1025 2nd Avenue, Suite 320  
Oakland, CA 94606-2212  
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## Minutes (Long)

**Wednesday, September 07, 2011**

**4:30 PM**

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

## Facilities Committee

**Noel Gallo, Chairperson  
Jody London, Vice Chairperson  
Alice Spearman, Member**

## A. Call to Order

*Chairperson Noel Gallo called the meeting to order at 4:35 P.M.*

## B. Roll Call

**Roll Call:** Present: Noel Gallo and Alice Spearman  
Absent: Jody London

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

*None.*

## D. Adoption of Committee Minutes



### [11-2434](#) Minutes - Facilities Committee - August 16, 2011

Approval by Facilities Committee of its Meeting Minutes of August 16, 2011.

**Attachments:** [11-2434 - Minutes - Facilities Committee - August 16, 2011](#)

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

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

**Roll Call:** Present: Noel Gallo, Jody London and Alice Spearman

## E. Adoption of the Committee General Consent Report



### [11-2005](#) Independent Contractor Agreement for Services and Purchase Order - Vista Real Estate Partners LLC - Division of Facilities Planning and Management Project

Approval by the Board of Education of Independent Contractor Agreement for Services and Purchase Order between District and Vista Real Estate Partners LLC, Oakland, CA, for the latter to facilitate the creation of a real estate report that analyzes District's real estate portfolio related to the current City of Oakland zoning and commercial development trends with the general discussion pertaining to the development potential of District's real estate assets, as specified in the Scope of Work, incorporated herein by reference as though fully set forth, in conjunction with the Division of Facilities Planning and Management Project for the period commencing June 22, 2011 and concluding no later than September 23, 2011 in an amount not to exceed \$14,400.00.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure B**

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

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

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



**11-2121**

**Grant Agreement - Altamont Education Advisory Board - Green Glove Waste Reduction Program**

Approval by the Board of Education of Grant Agreement Between District and Altamont Education Advisory Board, accepting Grant Award from the latter for the Green Glove Waste Reduction Program, creating a sustainable, effective, district wide waste reduction program, pursuant to standards as delineated in the Grant Agreement, which are incorporated herein by reference as though fully set forth, in the amount of \$43,720.00, for the period of July 1, 2011 through June 30, 2012, pursuant to the terms and conditions thereof.

**Funding Source: Altamont Education Advisory Board - Green Glove Waste Reduction Program Grant**

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

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

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 2 - Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo  
Preferential Aye: 0

Preferential Abstention: 0

Preferential Nay: 0

**11-2172****Project Budget Decrease - Life Academy Renovation and Seismic Retrofit Project**

Approval by the Board of Education of Resolution 1112-0027 - Authorizing and approving the Decrease in the Project Budget for the Life Academy Renovation and Seismic Retrofit Project in the amount of - \$11,840,000.00.

**Resource Code - 2122-335**

**Funding Source: GO Bond-Measure B**

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

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

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

**11-2173****Project Budget, Key Code and Project Number - Calvin Simmons Improvements and New Construction Project**

Approval by the Board of Education of Resolution 1112-0026 - Authorizing and approving the Project Budget, Key Code and Project Number for Calvin Simmons Improvements and New Construction Project in the amount of \$11,840,000.00.

**Resource Code - 2122-205**

**Funding Source: GO Bond-Measure B**

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

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

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

**11-2175****Independent Contractor Agreement for Services and Purchase Order - ACC Environmental - Garfield Elementary School Modernization Project**

Approval by the Board of Education of Independent Contractor Agreement for Services and Purchase Order between District and ACC Environmental, Oakland, CA, for the latter to provide professional services including asbestos abatement specifications, and air monitoring and project management for the demolition of one portable classroom in conjunction with the Garfield Elementary School Modernization Project for the period commencing July 15, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$6,500.00.

**Resource Code - 2525-118**

**Funding Source: Developer Fund**

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

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

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

**11-2176****Purchase Order - Ackland International, Inc. - Whittier New Classroom Building Project**

Approval by the Board of Education of Purchase Order between District and Ackland International, Inc., Oakland, CA, for the latter to provide engineering and survey services, pursuant to latter's Letter Proposal dated April 11, 2011, incorporated herein by reference as though fully set forth, in conjunction with the Whittier New Classroom Building Project for the period commencing July 1, 2011 and concluding no later than June 30, 2012 in an amount not to exceed \$15,000.00.

**Resource Code - 2122-163**

**Funding Source: GO Bond-Measure B**

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

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

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 2 - Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo  
Preferential Aye: 0

Preferential Abstention: 0  
Preferential Nay: 0

**11-2177****Purchase Order - Allen-Simmons Heating and Sheet Metal - Madison Middle School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Allen-Simmons Heating and Sheet Metal, Fairfield, CA, for the latter to demolish existing sheet metal gravel stop, capping and gutter, fabricate 24 gauge galvanized capping, fabricate 24 gauge galvanized gravel stop nailed at 3" on center, fabricate and install new 24 gauge galvanized gutter, and seal all joints with Vuklem Sealant and pop rivet fasteners/screws, set forth in latter's written Quote dated July 18, 2011, in conjunction with the Madison Middle School Modernization Project for the period commencing July 25, 2011 and concluding no later than June 30, 2012 in an amount not to exceed \$13,875.00.

**Resource Code - 2122-215**

**Funding Source: GO Bond-Measure B**

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

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

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

**11-2178****Purchase Order - CDW Government - Montera Middle School Modernization Project**

Approval by the Board of Education of Purchase Order between District and CDW Government, Chicago, IL, CA, for the latter to furnish various fiber optic cables, switches, and racks, to complete the IT upgrade, with installation to be performed by Alten Construction, in conjunction with the Montera Middle School Modernization Project for the period commencing June 15, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$12,256.48.

**Resource Code - 2122-211**

**Funding Source: GO Bond-Measure B**

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

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

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

Aye: 2 - Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-2179****Purchase Order - Chussy International - Division of Facilities, Planning and Management**

Approval by the Board of Education of Purchase Order between District and Chussy International, Oakland, CA, for the latter to furnish telephone accessories, as described in invoice number 779, dated June 23, 2011, from the latter, incorporated herein by reference as though fully set forth, in conjunction with work of the Division of Facilities, Planning and Management for the period commencing June 21, 2011 and concluding no later than June 23, 2011 in an amount not to exceed \$94.82.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure A**

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

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

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

**11-2180****Purchase Order - Chussy International - Division of Facilities, Planning and Management**

Approval by the Board of Education of Purchase Order between District and Chussy International, Oakland, CA, for the latter to furnish computer accessories, as described in invoice number 773, dated June 6, 2011, from the latter, incorporated herein by reference as though fully set forth, in conjunction with work of the Division of Facilities, Planning and Management for the period commencing June 6, 2011 and concluding no later than June 30, 2011 in an amount not to exceed \$205.94.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure A**

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

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

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

**11-2181****Purchase Order - Deco Art - Lowell Middle School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Deco Art, Oakland, CA, for the latter to restore mural, remove all loose paint, patch, prime, repaint, and varnish mural in conjunction with the Lowell Middle School Modernization Project for the period commencing August 1, 2011 and concluding no later than September 1, 2011 in an amount not to exceed \$8,500.00.

**Resource Code - 2122-204**

**Funding Source: GO Bond-Measure B**

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

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

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

**11-2182****Purchase Order - Elation Systems - Division of Facilities, Planning and Management**

Approval by the Board of Education of Purchase Order between District and Elation Systems, Oakland, CA, for the latter to provide a software license for web based labor compliance services for certified payroll reporting for use by the construction contractors and subcontractors in conjunction with the Division of Facilities, Planning and Management for the period commencing July 1, 2011 and concluding no later than June 30, 2012 in an amount not to exceed \$30,000.00.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure B**

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



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

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



**11-2183**

**Purchase Order - Gary Doupnik Manufacturing - Garfield Elementary School Modernization Project**

Approval by the Board of Education of Purchase Order between District and Gary Doupnik Manufacturing, Loomis, CA, for the latter to relocate the existing classroom including tear down, tarp and relocating to Doupnik storage yard in Loomis; and temporary storage of same with Doupnik for 12 months in conjunction with the Garfield Elementary School Modernization Project for the period commencing July 15, 2011 and concluding no later than September 30, 2012 in an amount not to exceed \$9,600.00.

**Resource Code - 2525-118**

**Funding Source: GO Bond-Measure B**

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

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

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



**11-2184**

**Purchase Order - IMX, Inc. - Garfield Elementary School Modernization Project**

Approval by the Board of Education of Purchase Order between District and IMX, Inc., Oakland, CA, for the latter to provide labor, supervision, material and equipment to perform hazardous material abatement and the demolition of an existing portable classroom as described in latter's proposal and contract, dated July 19, 2011, in conjunction with the Garfield Elementary School Modernization Project for the period commencing August 1, 2011 and concluding no later than August 31, 2011 in an amount not to exceed \$27,445.00.

**Resource Code - 2525-118**

**Funding Source: Developer Fees**

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

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

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



**11-2185**

**Purchase Order - Intelli-Tech - LaEscuelita Education Complex Relocation Project**

Approval by the Board of Education of Purchase Order between District and Intelli-Tech, Pleasanton, CA, for the latter to provide design, installation and project management of a SHPPRO/Exaro fire suppression system, including one fire/smoke damper, door closures, sweeps, and seals, based on estimate received from latter dated July 1, 2011, incorporated herein by reference as though fully set forth, in conjunction with the LaEscuelita Education Complex Relocation Project for the period commencing July 18, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$33,072.00.

**Resource Code - 3535-121**

**Funding Source: County School Facilities Fund**

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

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

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



**11-2186**

**Independent Contractor Agreement for Services and Purchase Order - Kam Yan & Associates - Glenview Elementary School Modernization Project**

Approval by the Board of Education of Independent Contractor Agreement for Services and Purchase Order between District and Kam Yan & Associates, Oakland, CA, for the latter to provide structural engineering services for structural and seismic evaluations of seven (7) portable buildings in conjunction with the Glenview Elementary School Modernization Project for the period commencing June 14, 2011 and concluding no later than December 14, 2011 in an amount not to exceed \$25,000.00.

**Resource Code - 3535-119**

**Funding Source: County School Facilities Fund**

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

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

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



**11-2187**

**Independent Contractor Agreement for Services and Purchase Order -  
Neuwirth & Associates - Madison Middle School Modernization Project**

Approval by the Board of Education of Independent Contractor Agreement for Services and Purchase Order between District and Neuwirth & Associates, San Francisco, CA, for the latter to perform a three part project: 1) provide the necessary analysis to assess the impact of the field on the vehicle and pedestrian traffic in Sobrante Park; 2) conduct a comprehensive community participation process to understand neighborhood issues and resolve them to the maximum degree possible in the context of the field project; and 3) be available for unforeseen task and project coordination efforts as the project evolves in conjunction with the Madison Middle School Modernization Project for the period commencing June 2, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$20,000.00.

**Resource Code - 2122-215**

**Funding Source: GO Bond-Measure B**

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

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

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 2 - Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo

Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-2188****Purchase Order - North American Fence & Supply Inc. - Havenscourt Middle School Health Center Project**

Approval by the Board of Education of Purchase Order between District and North American Fence & Supply Inc., Oakland, CA, for the latter to install a new 4'x7' main gate between the Havenscourt and Lockwood campuses including removal and disposal of existing 1" mesh at new fence location, installation of the new gate, kick plate, deadbolt with blank core, weldable lock box, latch post, deadbolt receiver, and 3'x4' infill panel, based on June 7, 2011 proposal presented to District by the latter, in conjunction with the Havenscourt Middle School Health Center Project for the period commencing June 20, 2011 and concluding no later than August 31, 2011 in an amount not to exceed \$2,270.00.

**Resource Code - 2122-207**

**Funding Source: GO Bond-Measure B**

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

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

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

**11-2189****Purchase Order - North American Fence & Supply Inc. - Garfield Elementary School Modernization Project**

Approval by the Board of Education of Purchase Order between District and North American Fence & Supply Inc., Oakland, CA, for the latter to provide temporary fencing for a rental period of six (6) months in conjunction with the Garfield Elementary School Modernization Project for the period commencing August 1, 2011 and concluding no later than January 31, 2012 in an amount not to exceed \$500.00.

**Resource Code - 2525-118**

**Funding Source: Developer Fees**

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

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

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

Aye: 2 - Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-2190****Purchase Order - Chambers Consulting Group, LLC - Division of Facilities, Planning and Management**

Approval by the Board of Education of Purchase Order between District and Chambers Consulting Group, LLC, Fairfield, CA, for the latter to prepare the Executive Summary School Safety Zoning Project, based on the latter's written proposal dated March 28, 2011, incorporated herein by reference as though fully set forth, in conjunction with the Division of Facilities, Planning and Management for the period commencing May 1, 2011 and concluding no later than November 1, 2011 in an amount not to exceed \$42,400.00.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure B**

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

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

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

**11-2191****Purchase Order - R&S Overhead Garage Door, Inc. - Cesar Chavez Education Center Project**

Approval by the Board of Education of Purchase Order between District and R&S Overhead Garage Door, Inc., San Leandro, CA, for the latter to furnish and install one electrical release device to work in conjunction with the existing motor operator house fire alarm wiring and smoke detectors, and testing and resetting of the existing counter for the door, based on written Offer dated June 28, 2011, incorporated herein by reference as though fully set forth, in conjunction with the Cesar Chavez Education Center Project for the period commencing July 1, 2011 and concluding no later than December 31, 2012 in an amount not to exceed \$2,545.00.

**Resource Code - 2122-186**

**Funding Source: GO Bond-Measure B**

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

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

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



**11-2192**

**Agreement for Preliminary Services and Purchase Order - United Site Services - Cole Portable Installation Project**

Approval by the Board of Education of Agreement for Preliminary Services and Purchase Order between District and United Site Services, San Jose, CA, for the latter to provide single ADA compliant portable restroom for the portable classroom at the Cole Campus for six months; provide service to portable on a weekly basis in conjunction with the Cole Portable Installation Project for the period commencing June 10, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$1,017.16.

**Resource Code - 3535-109**

**Funding Source: County School Facilities Fund**

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

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

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



**11-2193**

**Purchase Order - West Bay Builders, Inc. - Montclair Elementary School Modernization Project**

Approval by the Board of Education of Purchase Order between District and West Bay Builders, Inc., Novato, CA, for the latter to provide preliminary consulting services to facilitate and manage the construction and modernization of the project in conjunction with the Montclair Elementary School Modernization Project for the period commencing June 17, 2011 and concluding no later than June 17, 2012 in an amount not to exceed \$49,000.00.

**Resource Code - 2122-211**

**Funding Source: GO Bond-Measure B****Attachments:** [Document\(s\)](#)**This Matter was Recommended Favorably on the Consent Agenda.**

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

**11-2194****Purchase Order - Yovino-Young, Inc. - LaEscuelita Education Center Complex Project**

Approval by the Board of Education of Purchase Order between District and Yovino-Young, Inc., Berkeley, CA, for the latter to provide appraisal reports at the current market value for properties located at 1745-14th Avenue and the LaEscuelita Education Center Project site, located at E.10th Street between 2nd Avenue and 4th Avenue, based on Appraisal Proposal from the latter, dated July 6, 2011, incorporated herein by reference as though fully set forth, in conjunction with the LaEscuelita Education Center Complex Project for the period commencing July 13, 2011 and concluding no later than August 1, 2011 in an amount not to exceed \$12,500.00.

**Resource Code - 3535-121****Funding Source: County School Facilities Fund****Attachments:** [Document\(s\)](#)**This Matter was Recommended Favorably on the Consent Agenda.**

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

**11-2198****Independent Contractor Agreement for Services - Ninyo & Moore - Calvin Simmons Improvements and Career Tech Lab Project**

Approval by the Board of Education of Independent Contractor for Services Agreement between District and Ninyo & Moore, Oakland, CA, for the latter to provide environmental sampling activities for the new Career Tech Science Lab Building; provide composition for the soils in conjunction with the Calvin Simmons Improvements and Career Tech Lab Project for the period commencing August 24, 2011 and concluding no later than December 31, 2011 in an amount not to exceed \$39,400.00.

**Resource Code - 2122-205**

**Funding Source: V058012**

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

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

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



### **11-2205**

#### **Amendment No. 1, Professional Services Facilities Contract - Jason Zalinski - Elmhurst Middle School Wellness Center Project**

Approval by the Board of Education of Amendment No. 1, Professional Services Facilities Contract between District and Jason Zalinski, Oakland, CA, for the latter to provide additional Inspector of Record Services, Division of State Architect (DSA) inspections in conjunction with the Elmhurst Middle School Wellness Center Project in an additional amount not to exceed \$4,500.00, increasing the Contract not to exceed amount from \$15,300.00 to \$19,800.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-202**

**Funding Source: GO Bond-Measure B**

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

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

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



**11-2206****Amendment No. 1, Professional Services Facilities Contract - Jason Zalinski - Skyline High School Wellness Center Project**

Approval by the Board of Education of Amendment No. 1, Professional Services Facilities Contract between District and Jason Zalinski, Oakland, CA, for the latter to provide additional funding due to provide additional Division of State Architect (DSA) inspections in conjunction with the Skyline High School Wellness Center Project in an additional amount not to exceed \$4,500.00, increasing the Contract not to exceed amount from \$15,300.00 to \$19,800.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-306**

**Funding Source: GO Bond-Measure B**

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

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

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

**11-2207****Amendment No. 1, Professional Services Facilities Contract - ZFA Structural Engineers - Division of Facilities Planning and Management Project**

Approval by the Board of Education of Amendment No. 1, Professional Services Facilities Contract between District and ZFA Structural Engineers, San Francisco, CA, for the latter to provide additional Inspector of Record Services, Division of State Architect (DSA) inspections in conjunction with the District's Seismic Safety Enhancement Program, prioritize and provide recommendations for which buildings generally should undergo seismic retrofit in a pragmatic and transparent approach, utilizing other Oakland based structural engineers and consultants where possible, in conjunction with the Division of Facilities Planning and Management, in an additional amount not to exceed \$160,000.00, increasing the Contract not to exceed amount from \$532,000.00 to \$692,000.00. All other terms and conditions of the Contract remain in full force and effect.

**Resource Code - 2122-918**

**Funding Source: GO Bond-Measure B**

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

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

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

Aye: 2 - Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-2433****Amendment No. 1 - Grant Contract - California Department of Education - Facilities Renovation and Repair - Early Childhood Education**

Adoption by Board of Education of Resolution No. 1112-0049 - Approving Amendment No. 1, Grant No. CRPM-9004 from California Department of Education providing for Facilities Renovation and Repair at the Early Childhood Education Centers for Lockwood CDC, Martin Luther King Jr, CDC, Sante Fe CDC, Webster CDC and Yuk Yau CDC, confirming encumbrance of \$250,000.00, for the period July 1, 2009 to June 30, 2012, pursuant to terms and conditions thereof, if any.

**Funding Source: California Department of Education Early Childhood Education****Facilities, Renovation and Repair Grant**

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

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

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

**Passed The Committee General Consent Report**

**A motion was made by Alice Spearman, 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 - Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Absent: 1 - Noel Gallo  
Preferential Aye: 0  
Preferential Abstention: 0

Preferential Nay: 0

## F. Unfinished Business

*None.*

## G. New Business



### 11-1862

#### **New General Obligation Bond Measure and/or Parcel Tax for Maintenance of for District Facilities - Facilities Planning and Management**

Discussion and possible formulation of Facilities Committee recommendation to the Board of Education regarding General Obligation Bond Measure for the June 2012 or November 2012 ballot to support continued modernization and seismic upgrades of District facilities.

**Attachments:** [11-1862 - New General Obligation Bond Measure and or Parcel Tax for Maintenance of for District Facilities - Facilities Planning and Management.pdf](#)

*Mr. White said the District would like to pursue the voters for another General Obligation Bond in 2012. He said November 2012 provides the longest amount of time for planning, outreach, and campaigning. He said the General Obligation Bond will be supported by a new Facilities Master Plan scheduled to be completed at the beginning of 2012. To facilitate the process, he said he was directed by the Superintendent to conduct one on one sessions with individual Board Members. Mr. White said in the Facilities Master Plan the District will engage school sites and their community representatives around the needs of the campuses and associated program offerings. He said the District wants to make sure programmatic offerings are tied closely to make the programs successful.*

#### *Committee Member Comments*

*Chairperson Gallo said the matter is being sent to the Full Board for approval of staff's recommendation.*

*Mr. White wanted to know at the end of Board's discussion, is it the expectation the Board will make a decision to have an election on one of the two days specified.*

*Chairperson Gallo said that is the goal. He said the Board may send the item back to the Facilities Committee for further discussion.*

*Vice President London said the Board will specify either a 55% or Prop 39 Bond.*

*Ms. Boskoff said the Committee may want to include language referencing a maintenance parcel accompany the bond.*

**A motion was made by Noel Gallo, seconded by Alice Spearman, that this matter be Recommended Favorably. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0

Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-2357****Proposition 39 Facility Use Agreement-Leadership Public Schools-College Park Charter School - 2011-2012 School Year**

Approval by the Board of Education of a Proposition 39 Charter Facilities Use Agreement between District and Leadership Public Schools, a non-profit benefit corporation operating College Park Charter School, for the latter's use of dedicated space and shared space, within District's facility known as the Castlemont Community of Schools ("Castlemont") located at 8601 MacArthur Boulevard, Oakland, CA 94605, as more specifically described in Exhibit C of Agreement, commencing September 14, 2011 and ending July 31, 2012, for the 2011-2012 school year, at a pro rata shared cost not to exceed \$174,247.00.

**Funding Source: -Leadership Public Schools-College Park Charter School**

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

*Committee Member Comments*

*Director Spearman said she believes the amount the District charges is too low. She said there has been a new State law that allows the District to charge more per square footage than the current rate.*

*Gail Greely, Office of Charter Schools, said the amount shown in the three Prop 39 Agreements is the Facilities Fee Pro Rata Charge specific to Prop 39. She said she is unaware of any changes to the amount of the fee.*

*Director Spearman said the District can charge more than what it has been charging.*

*Ms. Greely said the District recalculated the numbers two months ago based on figures from the District's accounting system. She said two of the three Prop 39 schools were previously in District facilities and the agreement was updated with current information.*

**A motion was made by Noel Gallo, seconded by Alice Spearman, that this matter be Recommended Favorably. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 2 - Noel Gallo and Alice Spearman  
Nay: 0  
Abstained: 1 - Jody London  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-2358****Proposition 39 Facility Use Agreement - Community School for Creative Education - 2011-2012 School Year**

Approval by the Board of Education of a Proposition 39 Charter Facilities Use Agreement between District and Community School for Creative Education, a non-profit benefit corporation operating Community School for Creative Education, for the latter's use of dedicated space and shared space, within District's facility known as the Howard Elementary School Campus, located at 8755 Fontaine Street, Oakland, CA 94605, as more specifically described in Exhibit C of Agreement, commencing September 14, 2011 and ending July 31, 2012, for the 2011-2012 school year, at a pro rata shared cost not to exceed \$70,313.00.

**Funding Source: Community School for Creative Education**

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

*Committee Member Comments*

*Director Spearman said the enrollment is far shorter than what the school said it would be and wanted to know if the school met their quota.*

*Ms. Greely said the latest information she had 85 students were enrolled and their target was 100 students. She said to qualify for a Prop 39 facility the school needed to be at a minimum of 80 students.*

*Director Spearman said she was at the school this week and there were not 80 students. She said someone from the District needs to go to the school and verify the number of students.*

*Ms. Greely said because this is not a District authorized school, the District will not receive attendance information on a monthly basis. The District will receive the attendance information regarding the 20 day count later in the month and will verify at that time.*

*Director Spearman said one of the conditions of the charter was that the school meets its enrollment projection. She said the school has not met the enrollment quota and the District should not offer the space. Director noted the students are coming from the Fruitvale attendance area.*

*Ms. Greely said the statutory minimum is 80 in District ADA. She said if the school does not meet its project (enrollment of 100 and 85 ADA) the District can reclaim the space or seek reimbursement for over allocated space. Either can be triggered when the District receives an official ADA figure which will come at the end of September when the school completes their first 20 days of school.*

*Chairperson Gallo wanted to know if there was an urgency to approve the contract today.*

*Ms. Greely said the school is occupying the space without a valid Agreement. She said under the statute, kicking the school out is not an option.*

*Chairperson Gallo requested Ms. Greely report back to the committee when the official count is available.*

*Cate Boskoff, Facilities Legal Counsel, suggested the committee approve the contract today*

*and if the school is in breach, the District has remedies. She said currently the District doesn't have an Agreement with the school.*

**A motion was made by Noel Gallo, seconded by Jody London, that this matter be Recommended Favorably. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 2 - Noel Gallo and Jody London  
Nay: 1 - Alice Spearman  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0



### **11-2359**

#### **Proposition 39 Facility Use Agreement - Bay Area Technology School - 2011-2012 School Year**

Approval by the Board of Education of a Proposition 39 Charter Facilities Use Agreement between District and Bay Area Technology School, a non-profit benefit corporation operating Bay Area Technology School, for the latter's use of dedicated space and shared space, within District's facility known as the Carter Middle School Campus, located at 4521 Webster Street, Oakland, CA, as more specifically described in Exhibit C of Agreement, commencing September 14, 2011 and ending July 31, 2012, for the 2011-2012 school year, at a pro rata shared cost not to exceed \$121,533.00.

**Funding Source: Bay Area Technology School**

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

#### *Committee Member Comments*

*Vice President London said Oakland International High School has a waiting list of students for the programs at the school. She said she would like the Board to start planning now for next school year for Oakland International High School to offer its full program and find a different location for the charter.*

*Director Spearman said the statue is clear, if the District has a need for the space the District should not be offering the space.*

**A motion was made by Alice Spearman, seconded by Noel Gallo, that this matter be Recommended Favorably. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

**11-2443****Measure "B" Independent Citizens' School Facilities Bond Oversight Committee - Appointment of Individuals to Fill Unexpired Terms**

Approval by Board of Education of Resolution No. 1112-0044 - Measure "B" Independent Citizens' School Facilities Bond Oversight Committee - Appointment of Individuals to Fill Existing Vacancies.

**Attachments:** [Document\(s\)](#)  
[11-2443 - Measure "B" Independent Citizens' School Facilities Bond Oversight Committee - Appointment of Individuals to Fill Unexpired Terms.pdf](#)

*Committee Member Comments*

*Vice President London said in the past the Resolution had a category for the appointee's area of expertise. She said it is her understanding that the District has not replaced the financial expertise of a prior member. Vice President London requested the chart be updated to reflect committee member's the areas of expertise. She said she would like the District to be more intentional when recruiting future committee members.*

*Director Spearman wanted to know if there was a Board Policy that stated a person had to have expertise in a certain area to serve on the committee.*

*Cate Boskoff said there are certain categories that have to be filled. She said historically the District has not been able to fill the Taxpayer category.*

*Secretary Rakestraw said the District is meeting the minimum statutory requirement for the types of appointees. He said there are five mandatory categories and there are others that don't require such categories.*

**A motion was made by Alice Spearman, seconded by Noel Gallo, that this matter be Recommended Favorably. The motion carried by the following vote:**

**Votes:** Adv Aye: 0  
Adv Nay: 0  
Adv Abstain: 0  
Aye: 3 - Noel Gallo, Jody London and Alice Spearman  
Nay: 0  
Recused: 0  
Preferential Aye: 0  
Preferential Abstention: 0  
Preferential Nay: 0

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

*None.*

**I. Superintendent of Schools or Designee's Committee Liaison Report**

*None.*

## J. Introduction of New Legislative Matter

*Director Spearman requested a report showing how much money has been spent toward District Health Centers including monies received from Elev8 and what those monies funded.*

### 11-2547 Report - District Health Centers

A report by the Assistant Superintendent for Facilities, Planning and Management regarding District Health Centers including any funds contributed by Elev8.

## K. Adjournment

*Chairperson Gallo adjourned the meeting at 5:01 P.M.*

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

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