

Board Office Use: Legislative File Info.	
File ID Number	15-11619
Introduction Date	8/26/2015
Enactment Number	15-1379
Enactment Date	8/26/15 SA



OAKLAND UNIFIED
SCHOOL DISTRICT

OFFICE OF THE GENERAL COUNSEL

Memo

To Board of Education

From David Montes, Deputy Chief
Jacqueline P. Minor, General Counsel

Board Meeting Date August 26, 2015

Subject **Amendment of the Proposition 39 Facilities Use Agreement
Lazear Charter Academy**

Action Requested **Approval of Amendment-II of the Proposition 39 Facilities Use
Agreement Lazear Charter Academy**

Background and Discussion

Lazear is located at the former OUSD School Site, Lazear Elementary School, located at 824—29th Avenue, Oakland, CA 94601. The purpose of the amendment is to extend the 2014-15 Facilities Use Agreement for two additional months in order to give the Parties sufficient time to finalize the Facility Use Agreement needed to provide for the receipt by of funds under the California School Facilities Program ("CSFP"). The term of the extension is term is extended for the period from August 30, 2015 to October 31, 2015.

Recommendation **Approval of Amendment-II of the Proposition 39 Facilities Use
Agreement Lazear Charter Academy**

Fiscal Impact 14-15 Facility Use Fee will continue for an additional 2 months

Attachment Amendment-II to Agreement

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**AMENDMENT-II
TO THE
PROPOSITION 39 FACILITIES AGREEMENT
BETWEEN
THE OAKLAND UNIFIED SCHOOL DISTRICT
AND
LAZEAR CHARTER SCHOOL**

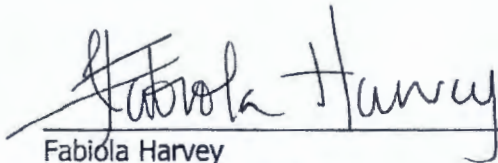
By Enactment Number 14-1380 on June 25, 2014, the Board of Education approved the Proposition 39 Facility Use Agreement for Lazear Charter School to use Lazear Elementary School campus for the 2014-15 school year.

The Parties hereby agree to amend said Agreement as follows:

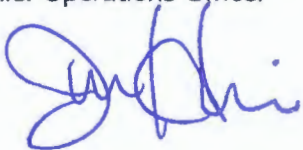
1. The term is extended for the period from August 30, 2015 to October 31, 2015 to give the Parties additional time to agree upon the terms of the Facility Use Agreement that supports Education for Change use of California School Facilities Program ("CSFP") funds to build a new campus on the site; and
2. Authorize Lazear to provide custodial services for the two month further extension period.
3. Except as expressly provided above, the Agreement is unchanged.

This Amendment-II to the Agreement between Lazear and the District constitutes the entire understanding and agreement between the Parties. All understandings, agreements, covenants, representations and warranties, express or implied, oral or written between are contained and merged herein. No other agreements, covenants, representations or warranties, express or implied, oral or written, have been made by or between the Parties concerning the subject matter hereof. This is an integrated agreement. It may not be altered, modified or otherwise changed in any respect except in a writing signed by each party.

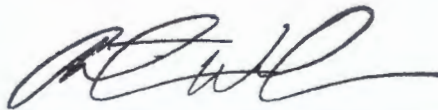
IN WITNESS WHEREOF, the parties hereto agreed to be bound and have executed this Amendment-II to the Agreement originally approved by the Oakland Unified School District Board of Education on June 25, 2014.



Fabiola Harvey
Chief Operations Officer

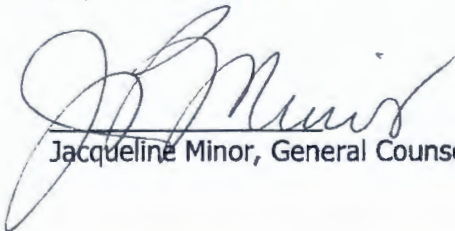


President, Board of Education
Oakland Unified School District



Secretary, Board of Education
Oakland Unified School District

Approved as to Form



Jacqueline Minor, General Counsel

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By: 