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Board Cover Memorandum

To: Board of Education

From: Benjamin “Sam” Davis, Board Director
Jennifer Brouhard, Board Director

Meeting Date: April 26, 2023

Subject: Amendment to Board Policy 7351 - Housing

Background:

The District is one of the largest landowners in the City of Oakland, and owns a variety of parcels zoned for a variety of land uses; the District has a total of 108 facility sites; 76 of those sites have TK-12 and Alternative Ed programs (some with shared campuses); 32 of those sites have other uses such as charter schools, adult education programs, early childhood programs, administrative offices, warehouse spaces and vacant properties; the District has a total of nine vacant sites, or portions of sites. Effective use of these properties requires transparency in identifying unutilized or underutilized District land.

The District seeks to promote the health and welfare of those who live, work, and study within the District. Available District land, prior to disposition, should be made

available for those purposes. Public land is an asset of the people and should be utilized for public good.

In a written report dated January 22, 2020, a District-authorized committee with between 7 and 11 members (“7-11 Committee”) recommended designating certain District properties as surplus, and recommended a priority of potential uses for each property. In addition, the 7-11 Committee recommended that the Board consider adopting an overarching policy for District property that would allow long-term ground leases, while prohibiting the sale of District land.

In consideration of the 7-11 Committee’s recommendations, the Board hereby seeks to adopt an overarching policy for District property that seeks to avoid unnecessary sales of District land.

The Board recognizes the need for and desirability of ongoing community involvement with the disposition of District land.

Purposes:

The purposes of this District Housing Policy are to create a unified District Policy on how to prioritize the disposition and utilization of District properties not already fully utilized; ensure transparency, accountability, and inclusivity; maximize the amount of deed-restricted affordable housing, for extremely low, very low, and low-income households, with priority to OUSD’s 1,600 youth and families that are experiencing homelessness, on underutilized and surplus District properties; prioritize the provision of early childcare, youth, and homeless support and shelter services; and increase available and affordable housing for the District’s workforce of teachers and employees on all remaining underutilized or surplus District properties.

Fiscal Impact

To be determined

Attachment:

Proposed Amendment to BP 7351

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

BP 7351

Facilities - Housing

Section 1: Goals

It is the goal of the Oakland Unified School District to cause to be built and cause to be maintained sustainable and safe housing for unsheltered District students and their families as well as housing for District employees that is financially accessible to classified and certificated staff. This goal is primarily intended to provide a critical service to unsheltered students and their families and to help recruit and retain high quality, long-serving staff. This goal, if fulfilled, will provide the District with a consistent long-term revenue source to expand programming for students and/or to mitigate the need for future reductions.

~~The Superintendent or designee shall regularly (but not less than quarterly) report to the Board on the progress on any efforts to cause to be developed sustainable and safe housing for unsheltered District students and their families as well as housing for District employees that is financially accessible to classified and certificated staff.~~

Section 2: Annual Public Lands Availability Report

By November of each year, District staff shall develop and publish, or cause to be developed and published, on the District's website, a report on all District property that might be made available for joint tenancy lease, long-term lease, or sale. This Annual Public Lands Availability Report shall identify all District property that has not been utilized or has been underutilized during the preceding twelve months.

For each identified property, District staff shall include at least the following information in the Report:

1. The street address (if there is one);
2. The date of acquisition by the District;
3. A general description, including the land size and topography;
4. Any previous use(s);
5. The District's intended use(s), if any;
6. A preliminary value estimate; and

7. A general description, including an assessment of physical condition, of any structure(s) on the property.

For underutilized properties, District staff shall identify whether certain portions of buildings or of the identified properties are or can be made available for joint occupancy lease. For such properties, District staff shall propose specific joint occupancy uses consistent with the priorities set forth in Section II (Utilization and Disposition Priorities).

Staff shall explain to what extent any proposed use advances the Board's listed priorities. Subject to resolution by the Board, such properties shall be made available for joint occupancy leases pursuant to Education Code Sections 17515 et seq. (Joint Occupancy).

Section 3: Utilization and Disposition Priorities

Long-Term Lease with No Option to Purchase. The District shall make best efforts to lease surplus property consistent with any of the below uses, prior to offering property for sale, or for long-term lease with option to purchase. If leasing without option to purchase is not reasonable, then District staff shall submit a written report explaining the reasons why the property cannot reasonably be leased in this manner. District Staff shall not propose to sell or to lease with option to purchase of District properties, unless expressly directed to do so by the Board.

Types of Use. The Board seeks to prioritize use of District property to facilitate the following types of use in this order:

- Development of projects with a minimum of 50% deed-restricted affordable housing, including affordable rental units with efforts to prioritize and/or reach out to the 1,600 OUSD youth and their families experiencing homelessness. Affordable housing on District property may include rental units affordable to households at 100% of Area Median Income ("AMI") or below, and ownership developments affordable to households at or below 120% AMI.
- Provision of early childcare and youth services
- Housing teachers or District employees.

Section 4: Implementation

Staff shall develop and propose administrative regulations to implement this Policy.