

**OAKLAND UNIFIED SCHOOL
DISTRICT RESOLUTION NO. 2324-0257**

**APPLICATION OF PROJECT LABOR AGREEMENT TO
DEVELOPMENT ON VACANT PUBLIC LANDS**

WHEREAS, the Oakland Unified School District (‘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; and

WHEREAS, effective use of these properties requires transparency in identifying unutilized or underutilized District land; and

WHEREAS, the District seeks to utilize unutilized or underutilized District land for construction of housing or other supportive facilities and is considering how best to utilize District land to promote the health and welfare of those who live, work, and study within the District; and

WHEREAS, the District recognizes the need for and desirability of ongoing community involvement with the disposition of District land; and

WHEREAS, the District intends for development projects on public land to proceed without labor disruptions and intends to create an effective mechanism to minimize such disruptions in order to manage project costs and complete projects in a timely manner; and

WHEREAS, the proprietary interests of the District would be advanced by providing for a consistent source of skilled construction labor for projects located on District property and enhancing the pool of skilled construction labor available for future projects; and

WHEREAS, on September 28, 2016, the District entered into a project labor agreement with the Building and Construction Trades Council of Alameda County, which had an initial term of five years, and was thereafter extended by amendment for another five years to September 28, 2026 (“Project Labor Agreement”); and

WHEREAS, on October 19, 2023, the Board of Education (“Board”) adopted Resolution 2324-0155 Prioritizing the Disposition and Use of Unutilized District Properties, which directed the Superintendent to bring back a unified District Policy on the disposition and use of unutilized or underutilized District properties; and

WHEREAS, Resolution 2324-0155 required that the unified District Policy will clarify that all developments on District property are subject to the District’s existing Project Labor Agreement, as well as existing Board Policies concerning local and small business use, sustainability and prevailing wage requirements on capital projects;

NOW THEREFORE BE IT RESOLVED, that all developments located on property owned, leased, or sold by the District shall be subject to the District's Project Labor Agreement with the Building and Construction Trades Council of Alameda County, including its provisions relating to (i) employment of Oakland residents, (ii) employment of apprentices with a preference for Oakland residents and District graduates, (iii) cooperation with community-based organizations, (iv) accommodation of the District's Local Business Program, and (v) coordination with the District through a Joint Administrative Committee. However, if the development consists entirely of one hundred percent (100%) subsidized or affordable housing, then it shall only be subject to this Resolution if it contains forty (40) or more residential units.

BE IT FURTHER RESOLVED, that the District and the Building and Construction Trades Council of Alameda County shall enter into a Side Letter to the Project Labor Agreement agreeing that all developments located on property owned, leased, or sold by the District shall be subject to the District's Project Labor Agreement.

BE IT FURTHER RESOLVED, that the Workforce Development Fund contribution provided in Section 16.2.3 of the District's Project Labor Agreement shall be used by the District, with the advice of the Joint Administration Committee, to administer and enforce the employment goals in the agreement, including by entering into third party contracts as needed.

BE IT FURTHER RESOLVED, that in the event the builder or general contractor has already entered into a separate project labor agreement or similar agreement with the Building and Construction Trades Council of Alameda County, that agreement may instead apply at the discretion of the District.

BE IT FURTHER RESOLVED, that this Resolution shall apply to new construction as well as construction on existing structures (i.e. demolition, remodeling, renovation, or rehabilitation), provided that construction will commence after the date this Resolution becomes effective.

BE IT FURTHER RESOLVED, that this Resolution shall be a companion to any unified District Policy on the disposition and use of unutilized or underutilized District properties; however, if such a unified District Policy is not adopted, this Resolution shall remain in full force and effect.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this date to be determined; by the following vote, to wit:

PREFERENTIAL AYE:

PREFERENTIAL NAY:

PREFERENTIAL ABSTAINED:

AYES:

NAYS:

ABSTAINED:

RECUSED:

ABSENT:

CERTIFICATION

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

OAKLAND UNIFIED SCHOOL DISTRICT

Benjamin Davis, President, Board of Education

Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education