

Board Office Use: <b>Legislative File Info.</b>	
File ID Number	24-1968C
Introduction Date	Nov. 13, 2024
Enactment Number	
Enactment Date	



# Board Cover Memorandum

**To** Board of Education

**From** Sam Davis, President

**Meeting Date** November 13, 2024

**Subject** Resolution confirming next steps for the 1025 Second Avenue Project

**Ask of the Board** Clarify staff’s understanding of Board direction regarding next steps on the 1025 Second Avenue Project.

**Background**

Board Policy 7351 articulates “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.”

On November 30, 2022, the Board passed Resolution No. 2223-0033 (“Initiating Process to Demolish Buildings at 1025 Second Avenue”), expressing its “intent to support the 1025 Second Avenue Project (initially through Measure Y and then through philanthropic donations and/or partnerships with public agencies such as the city, county and state), which would include the demolition of all buildings at 1025 Second Avenue and, ultimately, construction of new buildings at 1025 Second Avenue to house a program—inspired by the life and legacy of Dr. Marcus Foster—focused on supporting transition-aged youth (“TAY Program”).”

Among other things, this Resolution directs the Superintendent or designee to “(i) prepare reports, to the extent needed, for the Board to make the findings that would be required prior to any building demolition at 1025 Second Avenue, which would involve bringing contracts with the necessary experts to the Board for approval, and (ii) adjust the Measure Y spending plan by spending up to all \$15 million as early as 2023 (rather than \$1.5 million starting in 2023 and another \$13.5 million starting in 2027) if needed to cover the cost of demolition, including (but not limited to) the cost of the aforementioned experts.”

On January 24, 2024, the Board passed Resolution No. 2324-0155 (“Prioritizing The Disposition and Use of Unutilized District Properties”),

which directed staff to present a report to the Board by October 2024 on “all real property owned by the District that might be made available for joint tenancy lease, long-term lease, or sale (including, but not limited to, any such property that could be leased or sold upon the conclusion of a 7-11 process); to present this Report to the Board no later than October of 2024; and to update this Report or cause it to be updated in the future via the Facilities Master Planning process described in Board Policy 7110.”

This resolution further expressed “the Board’s intent to take action to make the properties listed in the Report available for joint occupancy leases pursuant to Education Code Sections 17515 et seq. (Joint Occupancy)” in accordance with the priorities listed in BP 7350 and 7351.

On October 24, 2024, in fulfillment of this resolution, the Board received a report from staff on currently vacant properties, including 1025 Second Avenue, during its study session on Asset Management.

#### **Discussion**

Following the Board’s discussion and vote on a resolution regarding the 1025 Second Avenue Project on October 9, there may be some questions regarding the Board’s direction to staff regarding the property.

The District has recently engaged experts for our asset management and real property evaluation project. The firms selected have significant experience with TK-12 school districts and are well-suited to address our strategic real estate needs. The contract with these firms will be brought to the Board for ratification separately.

The Board’s direction given in the above-referenced policy and resolutions still stands, unless and until the Board gives different direction to staff.

In light of existing direction from the Board, staff will be accepting proposals for development of the 1025 Second Avenue Project; however, no proposal will be approved nor will lease negotiations begin with any party until a full fiscal impact analysis has been presented to the Board of proposals that are received.

At meetings of the Board’s Facilities Committee and the Citizens Bond Oversight Committee (CBOC), staff has presented possible alternatives regarding imminent amendments to the Measure Y spending plan. Staff seeks direction from the Board on possible changes, given the urgent imperative of addressing water quality issues and other facilities needs.

#### **Fiscal Impact**

None.

**Attachment(s)**

- Resolution No. 2324-0155 — Prioritizing The Disposition and Use of Unutilized District Properties
- Resolution No. 2223-0033 — Initiating Process to Demolish Buildings at 1025 Second Avenue
- Proposed Resolution Confirming Board Direction for Next Steps on the 1025 Second Avenue Project

**OAKLAND UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 2425-0189**

**CONFIRMING BOARD DIRECTION ON NEXT STEPS  
FOR THE 1025 SECOND AVENUE PROJECT**

**WHEREAS**, Board Policy 7351 articulates “the goal of the Oakland Unified School District [‘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;” and

**WHEREAS**, on November 30, 2022, the Oakland Board of Education (‘Board’) passed Resolution No. 2223-0033 (“Initiating Process to Demolish Buildings at 1025 Second Avenue”), expressing its “intent to support the 1025 Second Avenue Project (initially through Measure Y and then through philanthropic donations and/or partnerships with public agencies such as the city, county and state), which would include the demolition of all buildings at 1025 Second Avenue and, ultimately, construction of new buildings at 1025 Second Avenue to house a program—inspired by the life and legacy of Dr. Marcus Foster—focused on supporting transition-aged youth (“TAY Program”);” and

**WHEREAS**, on January 24, 2024, the Board passed Resolution No. 2324-0155 (“Prioritizing The Disposition and Use of Unutilized District Properties”), which expressed “the Board’s intent to take action to make the properties listed in the [Unutilized District Property] Report available for joint occupancy leases pursuant to Education Code Sections 17515 et seq. (Joint Occupancy)” in accordance with the priorities listed in BP 7350 and 7351; and

**WHEREAS**, on October 24, 2024, in fulfillment of this resolution, the Board received a report from staff on currently vacant properties, including 1025 Second Avenue, during its study session on Asset Management; and

**WHEREAS**, the District has recently engaged experts for its asset management and real property evaluation project; the firms selected have significant experience with TK-12 school districts and are well-suited to address our strategic real estate needs; and the contract with these firms will be brought to the Board for ratification separately; and

**WHEREAS**, the Board’s direction given in the above-referenced policy and resolutions still stands, unless and until the Board gives different direction to staff; and

**WHEREAS**, in light of existing direction from the Board, staff will issue a Request for Proposals and/or Qualifications (‘RFP/Q’) by January 2025 for development of the 1025 Second Avenue Project, and receive proposals in response to the RFP/Q; however, no proposal will be approved nor will lease negotiations begin with any party until a full fiscal impact analysis has been presented to the Board of proposals that are received; and

**WHEREAS**, at meetings of the Board’s Facilities Committee and the Citizens Bond Oversight Committee (CBOC), staff has presented possible alternatives regarding imminent amendments to the Measure Y spending plan; and staff seeks direction from the Board on possible changes, given the urgent imperative of addressing water quality issues and other facilities needs,

**NOW THEREFORE BE IT RESOLVED**, the Board reaffirms its commitment to the TAY Program as part of the 1025 Second Avenue Project described in Resolution No. 2223-0033, and

the prioritization of unutilized district property for housing when feasible, as articulated in Resolution No. 2324-0155; and

**BE IT FURTHER RESOLVED**, the Board directs staff to provide a timeline for the 1025 Second Avenue Project, and regular updates on progress of the project at meetings of the Board's Facilities Committee, to be scheduled by the committee chair as needed; and

**BE IT FURTHER RESOLVED**, the Board recommends that any upcoming amendments to the Measure Y Spending Plan acknowledge the need to rededicate the \$15 million currently allocated to the 1025 Second Ave site to be used for other urgent facilities needs, yet the Board also expresses its intent to include an equivalent amount in the site-specific project list portion of the District's next general obligation bond measure; any investments of bond funds in the 1025 Second Avenue Project pursuant to this Resolution shall be subject to the District successfully passing a new general obligation bond measure.

**PASSED AND ADOPTED** on \_\_\_\_\_, 2024, by the Governing Board of the Oakland Unified School District by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

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 \_\_\_\_\_, 2024.

<b>Legislative File</b>	
File ID Number:	24-1068C
Introduction Date:	11/13/2024
Enactment Number:	
Enactment Date:	

**OAKLAND UNIFIED SCHOOL DISTRICT**

\_\_\_\_\_

Benjamin “Sam” Davis  
President, Board of Education

\_\_\_\_\_

Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education

**OFFICE OF THE BOARD OF EDUCATION**

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**OAKLAND UNIFIED  
SCHOOL DISTRICT**

*Community Schools, Thriving Students*

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**BOARD OF EDUCATION 2023**

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**Vacancy**, District 5

**Valarie Bachelor**, District 6  
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## Board Cover Memorandum

To: Board of Education

From: Facilities Committee  
Benjamin "Sam" Davis, Chair  
Clifford Thompson  
Valarie Bachelor

Legislative File No.: 23-2075  
Introduction Date: 9/26/2023  
Enactment No.: 24-0100  
Enactment Date: 1/24/2024  
By: os

Meeting Date: September 21, 2023

Subject: **Resolution No. 2324-0155 - Prioritizing The Disposition and Use of Unutilized District Properties**

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### Background:

While the Ohlone people were the original occupants of the area that is today known as the City of Oakland, the District is one of the largest landowners in this City, 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 unutilized properties; the District has a total of at least nine unutilized 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.

There is a great shortage of affordable housing in our City, with the greatest impact on the over 1,600 District students who are unhoused, as well as many thousands more who are in unstable or overcrowded housing situations. In addition, the extremely high cost of housing in Oakland and the surrounding area is one of the prime factors that makes it difficult to attract and retain employees in our District. In response to similar concerns, school districts across the Bay Area and California have explored or are actively engaged in using some of their unutilized or underutilized real property to develop workforce housing.

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.

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

### **Facilities Committee:**

The Facilities Committee, at its meeting on October 19, 2023, heard testimony on the Resolution from the public and deliberated its intent regarding the subject matter. The Committee left open for the Board to determine during its consideration of the Resolution, if adopted, the date by which the requested District Policy should be proposed by the Superintendent to the Board. The Committee, otherwise, hereby recommends adoption of the Resolution [at the November 8, 2023 Regular Meeting of the Board].

### **Purpose:**

The purpose of this Resolution is to direct staff to create unified District Policies regarding the disposition and the prioritization of various uses of District properties not being actively utilized; to ensure that this process is done in a way that maximizes transparency, accountability, and inclusivity; to maximize the amount of 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, as well as those in unstable or overcrowded housing situations, on underutilized and surplus District properties; to prioritize the provision of early childcare, youth, and homeless support and shelter services; and to 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 Resolution 2324-0155 Prioritizing the Disposition and Use of Unutilized District Properties

**OAKLAND UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
RESOLUTION NO. 2324-0155**

**PRIORITIZING THE DISPOSITION AND USE OF UNUTILIZED DISTRICT  
PROPERTIES**

**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**, the original occupants of this land were the Ohlone people, and the District takes seriously its obligation to steward this land for all the people of Oakland and its future generations, in equitable and sustainable ways; and

**WHEREAS**, there are over 1600 students enrolled in District schools who are experiencing homelessness, and thousands more whose housing is insecure or overcrowded; and

**WHEREAS**, the median rent in Oakland is currently over \$2400 per month, which is unaffordable for the vast majority of District employees; and

**WHEREAS**, 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 unutilized properties; and the District has a total of at least nine unutilized sites that are not currently being used for any purpose; and

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

**WHEREAS**, the District seeks to promote the health and welfare of those who live, work, and study within the District; and available District land, prior to disposition, should be made available for those purposes; and

**WHEREAS**, public land is an asset belonging to the people and should be utilized for public good; and

**WHEREAS**, 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 of Education ('Board') consider adopting an overarching policy for District

property that would allow long-term ground leases, while prohibiting the sale of District land; and

**WHEREAS**, In consideration of the 7-11 Committee's recommendations, the Board seeks to adopt an overarching policy for District property that seeks to avoid unnecessary sales of District land; and

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

**WHEREAS**, Board Policy 7350 articulates the District's Physical Asset Management Policy, including a priority order for uses of real properties; and

**WHEREAS**, Board Policy 7351 articulates the goal of the 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; and

**WHEREAS**, it is the will of the Board to update the priority list of uses in Board Policy 7350 to align with the vision of the Board, and to articulate more detail on the goals of Board Policy 7351, as well as to align the two policies with each other,

**NOW, THEREFORE, BE IT RESOLVED**, the Board directs the Superintendent or designee to bring back by date, to be determined (TBD), a unified District Policy on prioritizing the disposition and use of unutilized District properties, with language designed to:

- ensure transparency, accountability, and inclusivity; maximize the amount of affordable housing, for extremely low, very low, and low-income households, with priority to youth enrolled in OUSD that are experiencing homelessness or housing insecurity and their families, on unutilized 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 unutilized District properties; and

**BE IT FURTHER RESOLVED**, such policy will include language expressing the intent of the District to make best efforts to lease surplus real property consistent with the priority use list articulated in the policy, prior to offering property for sale or for long-term lease with option to purchase; and that 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; furthermore such policy will include language

clarifying that District Staff shall not propose to sell District real property or to lease such property with option to purchase, unless expressly directed to do so by the Board after consideration by a 7-11 Committee; and

**BE IT FURTHER RESOLVED**, such policy will include the following future uses in the appropriate places in the priority use list:

- Development of projects with a minimum of 50% affordable housing, including affordable rental units with efforts to prioritize and/or reach out to the many students enrolled in OUSD who are experiencing homelessness or who are housing insecure and their families. “Affordable rental units” are defined to include rental units affordable to households at 120% of Area Median Income (“AMI”) or below, with at least 15% of the units in a given development affordable at 0 to 30% of AMI.
- Provision of early childcare and family and youth services
- Housing teachers or District employees; and

**BE IT FURTHER RESOLVED**, such policy will include language directing the Superintendent or designee to develop, maintain and publish, or cause to be developed, maintained and published, on the District’s website, a Public Lands Availability Report (“Report”) of all real property owned by the District that might be made available for joint tenancy lease, long-term lease, or sale (including, but not limited to, any such property that could be leased or sold upon the conclusion of a 7-11 process); to present this Report to the Board no later than October of 2024; and to update this Report or cause it to be updated in the future via the Facilities Master Planning process described in Board Policy 7110; and

**BE IT FURTHER RESOLVED**, such policy will direct the Superintendent or designee to include or cause to be included at least the following information in the Report for each identified property:

1. The street address (if there is one);
2. The date of acquisition by the District (if known);
3. A general description, including the land size and topography;
4. A summary of the historical uses by the District and any prior owner (if known)
5. The current use (if there is one) and any plans/intent for future use (if there are any)
6. Preliminary estimates of the current value and of the highest and best use
7. A general description, including an assessment of physical condition, of any structure(s) on the property; and

**BE IT FURTHER RESOLVED**, such policy will express the Board’s intent to take action to make the properties listed in the Report available for joint occupancy leases pursuant to Education Code Sections 17515 et seq. (Joint Occupancy) in accordance with the uses listed in said policy and identified above; and

**BE IT FURTHER RESOLVED**, such 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; and that the District also remains subject to compliance with state statutes, including state-mandated disposition priorities for surplus land offered for sale or for lease with an option to purchase; and

**BE IT FURTHER RESOLVED**, staff shall develop and propose Administrative Regulations to implement this Policy once it is presented to and adopted by the Board.

**PASSED AND ADOPTED** on January 24, 2024, by the Governing Board of the Oakland Unified School District by the following vote:

PREFERENTIAL AYE:	None
PREFERENTIAL NOE:	None
PREFERENTIAL ABSTENTION:	None
PREFERENTIAL RECUSE:	None
AYES:	Jennifer Brouhard, Valerie Bachelor, Jorge Lerma, Clifford Thompson, President Benjamin “Sam” Davis
NOES:	VanCedric Williams, Vice President Mike Hutchinson
ABSTAINED:	None
RECUSED:	None
ABSENT:	Vida Mendoza (Student Director), Anevay Cruz (Student Director)

## 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 January 24, 2024.

Legislative File	
File ID Number:	23-2075
Introduction Date:	9/21/2023
Enactment Number:	24-0100
Enactment Date:	1/25/2024 os

### OAKLAND UNIFIED SCHOOL DISTRICT



\_\_\_\_\_  
Benjamin "Sam" Davis  
President, Board of Education



\_\_\_\_\_  
Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education

Redlined Version

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OAKLAND UNIFIED  
SCHOOL DISTRICT  
Community Schools, Thriving Students

BOARD OF EDUCATION 2023

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Board Office Use: Legislative File Info.	
File ID Number	23-2075
Introduction Date	September 21, 2023
Enactment Number	
Enactment Date	

Board Cover Memorandum

To: Board ~~of Education~~Facilities Committee

From: Facilities Committee  
~~Benjamin "Sam" Davis, Chairperson Benjamin "Sam" Davis, Board Director~~  
Clifford Thompson, Member  
Valarie Bachelor, Member ~~Jennifer Brouhard, Board Director~~

Meeting Date: October 19, 2023~~September 21, 2023~~

Subject: Resolution Prioritizing the Disposition and Use of Unutilized District Properties

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**Background:**

While the Ohlone people were the original occupants of the area that is today known as the City of Oakland, the District is one of the largest landowners in this City, 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 unutilized properties; the District has a total of at least nine unutilized 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.

There is a great shortage of affordable housing in our City, with the greatest impact on the over 1,600 District students who are unhoused, as well as many thousands more who are in unstable or overcrowded housing situations. In addition, the extremely high cost of housing in Oakland and the surrounding area is one of the prime factors that makes it difficult to attract and retain employees in our District. In response to similar concerns, school districts across the Bay Area and California have explored or are actively engaged in using some of their unutilized or underutilized real property to develop workforce housing.

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.

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

**Purpose:**



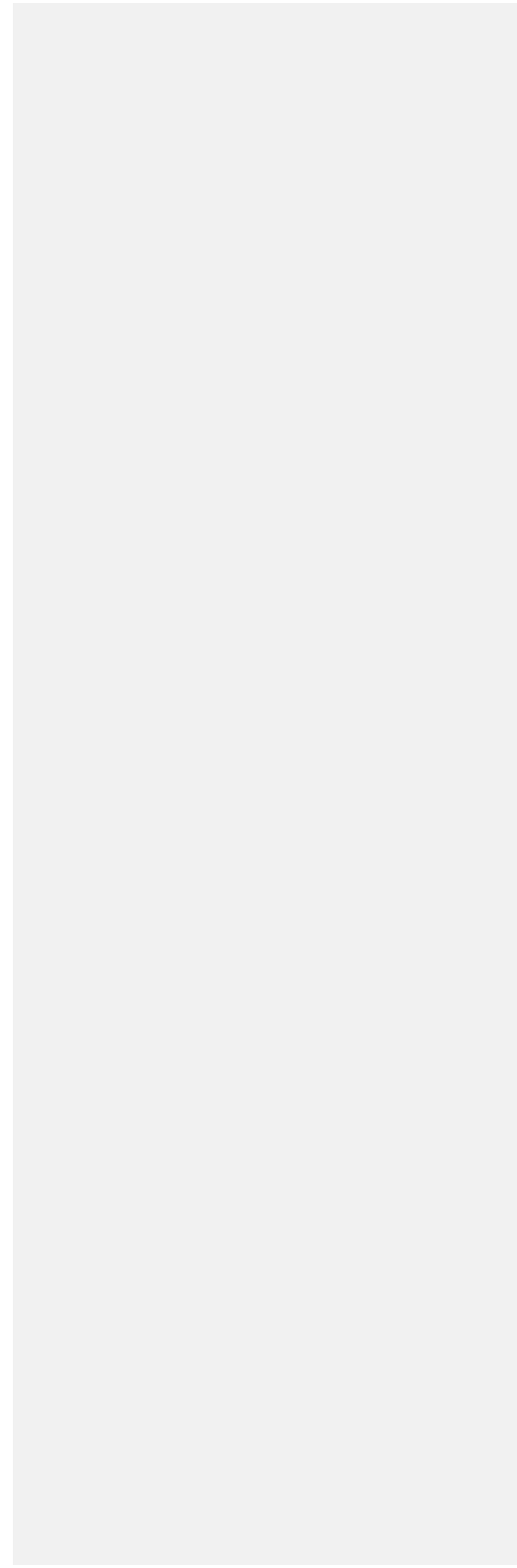
The purpose of this Resolution is to direct staff to create unified District Policies regarding the disposition and the prioritization of various uses of District properties not being actively utilized; to ensure that this process is done in a way that maximizes transparency, accountability, and inclusivity; to maximize the amount of 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, as well as those in unstable or overcrowded housing situations, on underutilized and surplus District properties; to prioritize the provision of early childcare, youth, and homeless support and shelter services; and to 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 Resolution 2324-0155 Prioritizing the Disposition and Use of Unutilized District Properties



**OAKLAND UNIFIED SCHOOL DISTRICT  
RESOLUTION NO. 2324-0155**

**PRIORITIZING THE DISPOSITION AND USE OF UNUTILIZED DISTRICT  
PROPERTIES**

**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**, the original occupants of this land were the Ohlone people, and the District takes seriously its obligation to steward this land for all the people of Oakland and its future generations, in equitable and sustainable ways; and

**WHEREAS**, there are over 1600 students enrolled in District schools who are experiencing homelessness, and thousands more whose housing is insecure or overcrowded; and

**WHEREAS**, the median rent in Oakland is currently over \$2400 per month, which is unaffordable for the vast majority of District employees; and

**WHEREAS**, 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 unutilized properties; and the District has a total of at least nine unutilized sites that are not currently being used for any purpose; and

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

**WHEREAS**, the District seeks to promote the health and welfare of those who live, work, and study within the District; and available District land, prior to disposition, should be made available for those purposes; and

**WHEREAS**, public land is an asset belonging to the people and should be utilized for public good; and

**WHEREAS**, 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 of Education ('Board') consider adopting an overarching policy for District

property that would allow long-term ground leases, while prohibiting the sale of District land; and

**WHEREAS**, In consideration of the 7-11 Committee's recommendations, the Board seeks to adopt an overarching policy for District property that seeks to avoid unnecessary sales of District land; and

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

**WHEREAS**, Board Policy 7350 articulates the District's Physical Asset Management Policy, including a priority order for uses of real properties; and

**WHEREAS**, Board Policy 7351 articulates the goal of the 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; and

**WHEREAS**, it is the will of the Board to update the priority list of uses in Board Policy 7350 to align with the vision of the Board, and to articulate more detail on the goals of Board Policy 7351, as well as to align the two policies with each other,

**NOW THEREFORE BE IT RESOLVED**, the Board directs the Superintendent or designee to bring back by date, to be determined (TBD), ~~XXXX~~ of 2023 a unified District Policy on prioritizing the disposition and use of unutilized District properties, with language designed to:

- ensure transparency, accountability, and inclusivity; maximize the amount of affordable housing, for extremely low, very low, and low-income households, with priority to youth enrolled in OUSD that are experiencing homelessness or housing insecurity and their families, on unutilized 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 unutilized District properties; and

**BE IT FURTHER RESOLVED**, such policy will include language expressing the intent of the District to make best efforts to lease surplus real property consistent with the priority use list articulated in the policy, prior to offering property for sale or for long-term lease with option to purchase; and that 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; furthermore such policy will include language

clarifying that District Staff shall not propose to sell District real property or to lease such property with option to purchase, unless expressly directed to do so by the Board after consideration by a 7-11 Committee; and

**BE IT FURTHER RESOLVED**, such policy will include the following future uses in the appropriate places in the priority use list:

- Development of projects with a minimum of 50% affordable housing, including affordable rental units with efforts to prioritize and/or reach out to the many students enrolled in OUSD who are experiencing homelessness or who are housing insecure and their families. “Affordable rental units” are defined to include rental units affordable to households at 120% of Area Median Income (“AMI”) or below, with at least 15% of the units in a given development affordable at 0 to 30% of AMI.
- Provision of early childcare and family and youth services
- Housing teachers or District employees; and

**BE IT FURTHER RESOLVED**, such policy will include language directing the Superintendent or designee to develop, maintain and publish, or cause to be developed, maintained and published, on the District’s website, a Public Lands Availability Report (“Report”) of all real property owned by the District that might be made available for joint tenancy lease, long-term lease, or sale (including, but not limited to, any such property that could be leased or sold upon the conclusion of a 7-11 process); to present this Report to the Board no later than October of 2024; and to update this Report or cause it to be updated in the future via the Facilities Master Planning process described in Board Policy 7110; and

**BE IT FURTHER RESOLVED**, such policy will direct the Superintendent or designee to include or cause to be included at least the following information in the Report for each identified property:

1. The street address (if there is one);
2. The date of acquisition by the District (if known);
3. A general description, including the land size and topography;
4. A summary of the historical uses by the District and any prior owner (if known)
5. The current use (if there is one) and any plans/intent for future use (if there are any)
6. Preliminary estimates of the current value and of the highest and best use
7. A general description, including an assessment of physical condition, of any structure(s) on the property; and

**BE IT FURTHER RESOLVED**, such policy will express the Board’s intent to take action to make the properties listed in the Report available for joint occupancy leases pursuant to Education Code Sections 17515 et seq. (Joint Occupancy) in accordance with the uses listed in said policy and identified above; and

**BE IT FURTHER RESOLVED**, such 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; and that the District also remains subject to compliance with state statutes, including state-mandated disposition priorities for surplus land offered for sale or for lease with an option to purchase; and

**BE IT FURTHER RESOLVED**, staff shall develop and propose administrative regulations to implement this Policy once it is presented to and adopted by the Board.

**PASSED AND ADOPTED** on \_\_\_\_\_, 2023, by the Governing Board of the Oakland Unified School District by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

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 \_\_\_\_\_, 2023.

<b>Legislative File</b>	
File ID Number:	23-2075
Introduction Date:	9/21/2023
Enactment Number:	
Enactment Date:	

**OAKLAND UNIFIED SCHOOL DISTRICT**

\_\_\_\_\_  
Mike Hutchinson  
President, Board of Education

\_\_\_\_\_  
Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education

Board Office Use: Legislative File Info.	
File ID Number	22-2385
Introduction Date	10/26/2022
Enactment Number	22-1995
Enactment Date	11/30/2022 os



**OAKLAND UNIFIED  
SCHOOL DISTRICT**  
Community Schools, Thriving Students

# Board Cover Memorandum

**To** Board of Education

**From** Aimee Eng, Board Member  
Clif Thompson, Board Member

**Meeting Date** November 30, 2022

**Subject** Resolution No. 2223-0033 - Initiating Process to Demolish Buildings at 1025 Second Avenue

**Ask of the Board** Approval by the Board of Education of Resolution No. 2223-0033 - Initiating Process to Demolish Buildings at 1025 Second Avenue

**Background** The Paul Robeson and Ethel Moore buildings located at 1025 Second Avenue were built in the 1920s and had been continuously used, in whole or in part, for the District Office of the District prior to the flood in January 2013, at which point the buildings stopped being used for District purposes.

Since that time the Board of Education (“Board”) has adopted a number of resolutions, which culminated in the adoption of Resolution No. 2021-0168 (Identifying Baby Cole as the Plan for Permanent Central Office Housing and Restarting All Associated Planning, Bidding, and Construction Activities) on June 23, 2021. That Resolution expressed the Board’s “intent to fund (through Measure Y or a future bond measure) future construction (renovation or demolition and new construction) at 1025 Second Avenue that could include administrative offices and/or programmatic space for alternative education and career technical education programing.” It also confirmed that the Cole Campus would house the District’s central office.

Since June 2021, the Facilities Department has continued to move forward with the project at the Cole Campus and the Board has approved multiple contracts in order to move that project forward.

On November 3, 2020, the voters of Oakland approved Measure Y, a \$735 General Obligation Bond Measure that listed the Marcus Foster Educational Leadership Center project at 1025 Second Avenue (“1025 Second Avenue Project”) as a specific project that could be funded under Measure Y. The latest Board-adopted spending plan for Measure Y allocated \$1.5 million starting in 2023 and another \$13.5 million starting in 2027 for the 1025 Second Avenue Project.

**Discussion** The proposed Resolution would reaffirm the Board’s intent to fund the 1025 Second Avenue Project and, as part of that, to demolish all buildings at 1025 Second Avenue and construct new buildings at 1025 Second Avenue to house a program focused on supporting transition-aged youth (“TAY Program”).

Under the proposed Resolution, the TAY Program would include administrative offices and program space for Oakland Adult and Career Education, Young Adult Program, and post-secondary career technical education; an event space to be used for Board meetings, staff training, and community events; community and family facing central office services; a student run café; TAY housing; and support services for TAY such as mental health and academic support.

The proposed Resolution would direct staff to meet with community stakeholders, school staff at nearby campuses, and central office staff to help inform the vision, need, and service offerings as well as the potential community and program partners that would ultimately be part of the TAY Program housed in the 1025 Second Avenue Project.

The proposed Resolution would also direct staff to estimate the cost of demolition for all structures at 1025 Second Avenue.

Lastly, the proposed Resolution, revised since it was first introduced on October 26, 2022, would direct staff to prepare reports—to the extent needed—for the Board to make the findings that would be required prior to any building demolition at 1025 Second Avenue and to adjust the Measure Y spending plan by spending up to all \$15 million as early as 2023 (rather than \$1.5 million starting in 2023 and another \$13.5 million starting in 2027) if needed to cover the cost of demolition, including (but not limited to) the cost of the aforementioned experts.

**Fiscal Impact** Up to \$15 million from Measure Y. While this money was already budgeted, the proposed Resolution would have the District expend most of the money earlier (i.e., 2023 rather 2027 or later).

**Attachment**

- Resolution No. 2223-0033 - Initiating Process to Demolish Buildings at 1025 Second Avenue



**RESOLUTION OF THE  
BOARD OF EDUCATION OF THE  
OAKLAND UNIFIED SCHOOL DISTRICT**

**Resolution No. 2223-0033**

**Initiating Process to Demolish Buildings at 1025 Second Avenue**

**WHEREAS**, the Paul Robeson and Ethel Moore buildings located at 1025 Second Avenue were built in the 1920s and had been continuously used, in whole or in part, for the District Office of the Oakland Unified School District prior to the flood in January 2013, at which point the buildings stopped used for District purposes;

**WHEREAS**, on or about June 10, 2015, the Board of Education (“Board”) adopted Resolution No. 1415-1166 (Authorization To Move Forward With Establishing A Project Committee To Refining And Scope The New Educational Leadership Campus, Initiate The CEQA Process, Provide A Progress Report In Early Fall Of 2015, And Name The Project In Honor Former Superintendent Dr. Marcus Foster), which initiated a process to construct buildings at 1025 Second Avenue and 1105 Second Avenue to serve as the “Dr. Marcus Foster Educational Campus” which would include space for the District’s Central Office;

**WHEREAS**, on or about December 19, 2016, the Board adopted Resolution No. 1617-0007 (Authorization to Move Forward With The Rehabilitation Of 1025 Second Avenue and the Ethel Moore Building as the Administrative Center of the District, Direct the Superintendent or Designee to Establish A Project Committee, Initiate the CEQA Process, and Provide An Initial Progress Report to the Board in June 2017), which partially rescinded Resolution No. 1415-1166 but otherwise maintained the direction to “[p]roceed with the proposal to rehabilitate the vacated 1025 Second Avenue and the Ethel Moore Building” as the District’s Central Office;

**WHEREAS**, on or about June 5, 2019, the Board approved Resolution No. 1819-0221 (Authorization to Move Forward with the permanent housing at a rehabilitated Cole as the Administrative Center of the District. And, authorization to approve the interim housing location at 1000 Broadway. Finally to authorize the revision of the Measure J spending plan to show how the current bond will fund the initial planning phase of the permanent housing and the updated rent costs for interim housing.), which rescinded Resolution No. 1617-0007 and approved a proposal to rehabilitate the Cole Campus (1011 Union St , Oakland, CA 94607) as the District’s Central Office and to remain at 1000 Broadway as interim administrative housing until the project at the Cole Campus is complete;

**WHEREAS**, on June 23, 2021, the Board approved Resolution No. 2021-0168 (Identifying Baby Cole as the Plan for Permanent Central Office Housing and Restarting All Associated Planning, Bidding, and Construction Activities), by which the Board “expresse[d] its intent to fund (through Measure Y or a future bond measure) future construction (renovation or demolition and new

construction) at 1025 Second Avenue that could include administrative offices and/or programmatic space for alternative education and career technical education programming”;

**WHEREAS**, Resolution No. 2021-0168 also confirmed that the Cole Campus would house the District’s central office, albeit modified compared with the original plan;

**WHEREAS**, since June 2021, the Facilities Department has continued to move forward with the project at the Cole Campus and the Board has approved multiple contracts in order to move construction forward;

**WHEREAS**, on November 3, 2020, the voters of Oakland approved Measure Y, a \$735 General Obligation Bond Measure that listed the following project at 1025 Second Avenue (“1025 Second Avenue Project”) as a specific project that could be funded under Measure Y:

*Marcus Foster Educational Leadership Center*

*- Site plan*

*- Site replacement*

*- Facilities for alternative education and career technical education programming*

*- Community service facilities*

*- Central administration facilities, including but not limited to student and family facing services*

; and

**WHEREAS**, the latest Board-adopted spending plan for Measure Y allocated \$1.5 million starting in 2023 and another \$13.5 million starting in 2027 for the 1025 Second Avenue Project.

**NOW, THEREFORE, BE IT RESOLVED**, the Board hereby reaffirms its intent to fund the 1025 Second Avenue Project (initially through Measure Y and then through philanthropic donations and/or partnerships with public agencies such as city, county, and state), which would include the demolition of all buildings at 1025 Second Avenue and, ultimately, construction of new buildings at 1025 Second Avenue to house a program—inspired by the life and legacy of Dr. Marcus Foster—focused on supporting transition-aged youth (“TAY Program”);

**BE IT FURTHER RESOLVED**, the TAY Program will include administrative offices and program space for Oakland Adult and Career Education, Young Adult Program, and post-secondary career technical education; an event space to be used for Board meetings, staff training, and community events; community and family facing central office services; a student run café; TAY housing; and support services for TAY such as mental health and academic support;

**BE IT FURTHER RESOLVED**, the Board directs staff to meet with community stakeholders (e.g., The Coalition for the CTE TAY Hub at 1025 2nd Ave), school staff at nearby campuses, and central office staff to help inform the vision, need, and service offerings as well as the potential community and program partners that would ultimately be part of the TAY Program housed in the 1025 Second Avenue Project;

**BE IT FURTHER RESOLVED**, the Board hereby directs the Superintendent or designee to estimate the cost of demolition for all structures at 1025 Second Avenue; and

**BE IT FURTHER RESOLVED**, the Board directs the Superintendent or designee to (i) prepare reports, to the extent needed, for the Board to make the findings that would be required prior to any building demolition at 1025 Second Avenue, which would involve bringing contracts with the necessary experts to the Board for approval, and (ii) adjust the Measure Y spending plan by spending up to all \$15 million as early as 2023 (rather than \$1.5 million starting in 2023 and another \$13.5 million starting in 2027) if needed to cover the cost of demolition, including (but not limited to) the cost of the aforementioned experts.

**PASSED AND ADOPTED** by the Board of Education of the Oakland Unified School District this 30th day of November, 2022, by the following vote:

PREFERENTIAL AYE:	Student Director Gallegos Chavez
PREFERENTIAL NOE:	None
PREFERENTIAL ABSTENTION:	None
PREFERENTIAL RECUSE:	None
AYES:	VanCedric Williams, Kyra Mungia, Clifford Thompson, Aimee Eng, Vice President Benjamin “Sam” Davis, President Gary Yee
NOES:	Mike Hutchinson
ABSTAINED:	None
RECUSED:	None
ABSENT:	Student Director Linh Le, Clifford Thompson

**CERTIFICATION**

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at the Meeting of the Board of Education of the Oakland Unified School District held on November 30 \_\_\_\_\_, 2022.

Legislative File	
File ID Number:	22-2385
Introduction Date:	10/26/2022
Enactment Number:	22-1995
Enactment Date:	11/30/2022
By:	os

**OAKLAND UNIFIED SCHOOL DISTRICT**



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Gary Yee  
President, Board of Education



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Kyla Johnson-Trammell  
Superintendent and Secretary, Board of Education