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2006 OCT 12 PM 1:19

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October 24, 2006

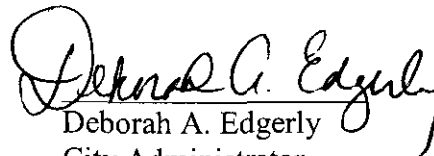
Education Partnership Committee  
Oakland City Council  
Oakland, California

**RE: Resolution of the Board of Education of the Oakland Unified School District  
Opposing the Sale of District Administrative and Related Property and  
Offering An Alternative Proposal**

Dear Chairpersons Chang and Gallo and Members of the Committee:

The attached resolution has been submitted by the Oakland Board of Education as part of their presentation to the Education Partnership Committee on an alternative proposal for the use of the OUSD administration site..

Respectfully submitted,

  
Deborah A. Edgerly  
City Administrator

**APPROVED**

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

**Resolution No. 0607-0002BOE**

**Opposing the Sale of District Administrative and Related Property and Offering An  
Alternative Proposal**

**WHEREAS**, the goal of the Board of Education is to create a world class public school system that educates all students to high standards of learning; to provide our children with schools that are safe, clean, and conducive to learning with the latest technology and teaching methods and through our fiduciary responsibility to serve In THE BEST INTEREST of OAKLANDS' CURRENT and FUTURE CHILDREN,

**WHEREAS**, then State Administrator, Dr.Randolph E. Ward, issued on February 28, 2005, a Request for Qualifications and Development Proposals to develop a 9.47 acre property between 10<sup>th</sup> and 12<sup>th</sup> Streets, and the Lake/Peralta Park and 4<sup>th</sup> Avenue,

**WHEREAS**, the property is the current site for the District's Administrative Offices, La Escuelita Elementary School, Yuk-Yau Children Development Center, Centro Infantil Children Development Center, Dewey High School, and Metwest High School,

**WHEREAS**, the space requirements based on existing program size requires 159,700 square footage to accommodate 377 Administration staff, 917 students (k-12,cdc); 51 classrooms; 15,000 sq.ft of assembly area; and 6 lab/library rooms to relocate the offices and educational programs,

**WHEREAS**, the schools and the Child Development Centers must be on ground level and require playground area,

**WHEREAS**, the Letter of Intent signed on June 14, 2006 by California Superintendent Jack O'Connell and the Developer, Terra Mark/Urban America, will provide an estimated \$60 million dollars to the District if the number of condominiums' proposed is developed with the ultimate consent of the City Council of Oakland,

**WHEREAS**, the developer bears no responsibility to relocate or rebuild the current educational facilities,

**WHEREAS**, the San Francisco Chronicle and the Oakland Tribune Editorial Boards, the League of Women Voters, Trustees on the Peralta Community College Board, Members of the Oakland City Council, and a chorus of Oakland politicians, teachers, parents, and community leaders have recommended "against the Sale of OUSD Land."

**WHEREAS**, the sale would be a penny-wise, pound foolish approach...and with land getting scarcer and increasingly expensive in Oakland, the District could find itself in a bind later when trying to build schools to accommodate future generations of students.", stated the Oakland Tribune, 8/03/06,

**WHEREAS**, the "handsome Lake Merritt environs...its central location within the City of Oakland...its strong transportation options, including proximity to BART. Those are precisely among the reasons why Oakland should hang on to the property. Another is its proximity to

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Laney College, which allow for innovative education collaboration between the district and the college", stated the San Francisco Chronicle on 7/28/06; and,

**WHEREAS**, then State Administrator, Dr. Randolph E.Ward, in the closing days of his stewardship of the District, recommended against the land sale,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Education of the Oakland Unified School District hereby Finds, Resolves, Determines and Declares that it is **AGAINST THE LAND SALE**; that IT is a **BAD FINANCIAL DEAL**, and most of all, that it is **NOT IN THE BEST INTEREST OF OAKLAND'S CURRENT and FUTURE CHILDREN**; that the Facts are as Follows:

- That there is no current Appraisal/Fair Market value for the land based on the Highest/Best use, based on Tower Residential (Condominium) use;
- That as proposed by the developers, **THE REPLACEMENT COSTS** to relocate/build the 5 Schools and Administration offices are not their responsibility but will be a District responsibility paid for by General Obligation Bonds or other taxpayer dollars;
- That the student population in the immediate area of the existing property is projected to grow significantly due to the neighborhood housing developments including a projected growth of over 2000 students from the Oak to 9<sup>th</sup> Street Project alone with no school designated for that or similar neighborhood developments;
- That the District has a 1.7% interest rate on our State loan with the State Bank for 20 years; and

**BE IT FURTHER RESOLVED** that the Board of Education of the Oakland Unified School District hereby calls upon the State Superintendent of Public Instruction to immediately cancel the proposed sale; and

**BE IT FURTHER RESOLVED** that the Board of Education, in the alternative, proposes that District construct a new, permanent, state of the art EDUCATION CENTER on the current 9.7 acres to housing a Kindergarten through High School Program, including facilities for the Children Development Centers for the attendance area and as District Administrative Offices, given the following facts:

- The property is **OAKLAND PUBLIC SCHOOL LAND**, it was established to serve and meet the Education needs of Oakland's children;
- The Board of Education, in 2003, approved \$22 million, Measure C General Obligation Bond monies, for the new construction of La Escuelita Elementary School;
- The District in 2005 completed new construction to house Dewey High School at an investment of approximately \$10 million of Measure C General Obligation Bond monies;
- La Escuelita, Dewey High School, and the Children Development Centers are eligible for Measure B General Obligation Funds;
- The District has the Construction Management Personnel, experience, and resources to construct the new Education Center;

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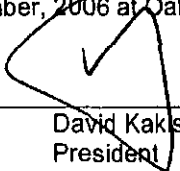
- That the student population in the immediate area of the existing property is projected to grow significantly due to the neighborhood housing developments including a projected growth of over 2000 students from the Oak to 9<sup>th</sup> Street Project alone and an additional 1,000 students, in the immediate neighborhood adjacent to the current Administration Building, as project by District staff, with no school designated for that or similar neighborhood developments; and
- That collaboration between Laney College and the District has begun to provide educational services and establish Facility-use partnerships.

ADVISORY AYES: Gary Yee, Dan Siegel, Gregory Hodge, Alice Spearman, Noel Gallo,  
President David Kakishiba

ADVISORY NAYS: Vice President Kerry Hamill

ABSTAINED: None

I certify that the foregoing is a true and correct copy of a Resolution adopted by the Board of Education of the Oakland Unified School District in a Special Meeting of the State Administrator and/or Board of Education this 6th day of September, 2006 at Oakland, CA.

  
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David Kakishiba  
President