

**Notes of 2 x 2 Council Committee Meeting
November 4, 2019**

Present:

City of Berkeley (COB)

Councilmember Sophie Hahn
Councilmember Lori Droste

Berkeley Unified School District (BUSD)

Judy Appel, Board Member
Julie Sinai, Board Member

Others present:

Mayor Jesse Arreguin, COB
Gaetano Trachtenberg, Legislative Aide, Mayor's Office, COB
Paul Buddenhagen, Deputy City Manager, COB
David White, Deputy City Manager, COB
Nina Goldman, 2020 Vision Manager, COB
Scott Ferris, Parks, Recreation & Waterfront Director, COB
Yvette Gan, Secretary to the City Manager, COB
Dr. Brent Stephens, Superintendent, BUSD
John Calise, Executive Director of Facilities, BUSD
Jessica Lopez-Tello, Executive Assistant to the Superintendent

The meeting started at 8:35 am, with Councilmember Droste chairing the meeting. She noted that Ms. Appel was on her way, but felt the meeting could begin with 3 members of the committee present.

1. **Comments from the Public**

There were no comments.

2. **Approval of Agenda**

Councilmember Droste asked that item 8 (March 2020 and November 2020 Ballot Measures) and Item 5 (MOU for Joint Properties) be moved up in the agenda to follow item 4.

3. **Approval of Notes – June 13, 2019**

The agenda and notes of June 13, 2019 were approved (Sinai / Hahn).

4. Census 2020

Deputy City Manager David White said that the City Council has adopted a resolution supporting the Census in September, as has the Board of Library Trustees. He distributed copies of a Powerpoint presentation he made to City Council and two Census 2020 flyers.

A "Complete Count Committee" has been formed, and most of the City departments have assigned staff to this committee. As we move towards the end of the calendar year, we will have an outreach campaign.

He noted that Casey Farmer, Executive Director of Alameda County's Complete Count Committee for Census 2020, has been reaching out to agencies regarding training for the Census Count.

[Judy Appel arrived at 8:40 am]

Mr. White noted that there is a November 19th training at Oakland City Hall, hosted by the Sacramento and Los Angeles Offices of Education. It's designed to teach 5th, 8th, 11th and 12th grade students about the US Census. He asked if someone from BUSD would work with the City on the Census. Dr. Stephens will let Mr. White know when a BUSD staff member has been assigned. Board Member Sinai asked if the Statewide PTA was involved in any Census projects and Dr. Stephens said he would contact them to ask about it.

5. March 2020 (BUSD) and November 2020 Ballot Measures

Dr. Stephens introduced John Calise, Executive Director of Facilities for BUSD.

Mr. Calise noted that BUSD is putting out three ballot measures this year: a General Obligation (GO) bond, renewal of a parcel tax and another tax for educator recruitment and retention. BUSD has calculated that their needs would cost about \$383 million if they could fund everything, but as that is not feasible, they have pared it down to \$170 million in funding for a 10-year period. He spoke of the work group which was formed to develop criteria for projects in order to prioritize them for funding purposes; i.e. equity issues, safe and welcoming learning environments, etc. Mr. Calise walked the attendees through a Powerpoint presentation on this topic.

Governor Newsom is working on AB 48, a \$15 billion construction bond for public preschools, K-12s, and colleges. This will go before the voters in March 2020.

Mr. Calise showed a list of sample projects. He emphasized that these projects are not approved by the BUSD Board; this is just a list of projects that the workgroup thought might be worthy of funding. The Superintendent's work group included two Board members and key stakeholders.

- Sustainability (goal focused on Zero Net Energy)
- Career Technical Education – (\$22.5 m)
- Sylvia Mendez Complete Modernization (\$44.5 m)
- Berkeley High School (BHS) – Building C (\$8.5 m)
- Middle School Science Facility – 23,000 sq. ft. (\$27.5 m)
- Elementary Student Services expansion (\$8.75 m) (includes all specialty services – special education development, occupational therapy, emotional support, etc.)
- BHS Little Theater – seismic work (\$28.5 m)
- Willard Performing Arts (\$6.25 m)
- BHS parking garage with tennis courts above (\$29.25 m)
- Technology (\$8.75 m)

The District has embarked on Facilities Master Plan (FMP) and it's getting close to completion. Every site was inspected, and community meetings were held at every single school to garner input from residents.

- GO bond costs analysis: \$45.21 per \$100,000 in assessed value (AV)
- Average assessed value - \$253.06
- BUSD Commitment NOT to exceed \$172.80 per median single family residence.

Councilmember Hahn asked if BUSD had reached out to the City and Councilmembers about their plans for the ballot measures. Mr. Calise said he was unable to answer that question. She also asked what the \$110 million in program expenses would be used for. Mr. Calise noted that these are for soft costs (architects, engineers). On a typical capital project, it's about 35% of the costs. None of the bond money can be spent on teachers' or administrators' salaries.

GO Bond Analysis Powerpoint Slide

Average cost for median single family residence (\$457,080 – assessed value) - \$203.47

BUSD Commitment not to exceed \$172.80

- current financing model shows 2021/22 to cost \$158.97 per \$100,000 AV
- cost to decrease each year thereafter
- cost per \$100,000 of assessed value to be below \$100 by 2030.

Mr. Calise further noted that education bonds are structured differently than the City's as they depend on many factors: credit rating, interest rates, etc. The bond term is 40 years for schools, and he believed that BUSD had been re-paying their bonds in 30 years, rather than 40.

Councilmember Hahn asked if there was any construction planned for the facilities shared by both the District and the City. Mr. Calise noted the systems for the city-run facilities were not included in the \$170 million ballot measure. He mentioned that the City's staff

had done a lot of work on the city-run facilities and BUSD did not want to duplicate the work. Board Member Appel added that the priority was to focus on the BUSD's mission for education. Board Member Sinai explained that BUSD's plans have to meet the standards set by the Department of State Architects, which have a much higher threshold, and therefore higher costs.

Mayor Arreguin said that the District needs to make sure that its facilities are safe for students and staff. The City will also have ballot measures for the voters and he is concerned about the ability of the voters to absorb all of these bonds. Board Member Appel responded that the BUSD has not put forth ballot measures in 7 years.

Councilmember Droste asked if there was a chance to look at the joint-run facilities and include them in the ballot measure wording in time for the Nov. 6th ballot submission to the Registrar of Voters. Mr. Calise replied that the bond language is written so that funding can be applied to any BUSD-owned properties. She then asked if, at the community meetings held by BUSD, any parents were made aware of the BUSD properties that are run by the City. Mr. Calise said he did not know as the outreach was focused on school campuses. Board Member Appel added that usually, how the process works, is that each school is provided a certain amount of funding, and depending on needs, how that funding is spent may change.

6. MOU (Memorandum of Understanding) for Joint Properties

Councilmember Droste requested that Parks Director Scott Ferris provide background on this topic. He explained that there are four shared facilities: King Park and the three pools. The lease for this arrangement expires December 31, 2020. Because there is no long-term lease in place for after 2020, the City cannot commit CDBG or Measure T1 funds nor apply for FEMA grants for any of those shared facilities.

In 2009, Mayor Bates established a Pools Task Force to work on ballot measures. Voters did not approve ballot measures to fund the pools in both 2010 and 2012 (two-thirds approval required). Mr. Ferris contacted Mr. Lew Jones (who was the BUSD Facilities Director at that time) about a new use agreement. However, at the time, BUSD had not decided what to do with the pools and was considering embarking on a Facilities Master Plan. Eventually, BUSD decided not to pursue the use agreement.

The amounts need just to keep the pools going are:

\$3.8 million each for West Campus and King

\$9.2 million for Willard

Councilmember Hahn noted that the City is managing many programs at these joint properties, and stated her interest in having a timeline for a new MOU. Board Member Sinai said she would like to uncouple the Young Adult Project property (1730 Oregon)

from the three pools. Mr. Calise said he had no problems with a new long-term lease for the Young Adult Project property.

Mayor Arreguin expressed his frustration that this item has not moved forward in many years, especially since it has been on many 2x2 Council Committee agendas. He asked for commitment today from this group and that it be communicated to the community. The City Council has extended the hours of operation for West Campus Pool. There has been some limited use at King Pool but he would like clarification on what is happening there. Councilmember Droste agreed with the Mayor's request to move forward, and acknowledged the turnover in staffing at BUSD has made it difficult. Dr. Stephens explained that one of the central dilemmas is the language of the bond itself, which is why the pools did not show up on the project list. The other issue is the timing of the Facilities Master Plan, which will not support a quick resolution regarding the pools. Mr. Ferris noted BUSD had approved the filling of the Willard pool for its current purpose in 2011. Accordingly, holes were drilled in the pool to allow for drainage before it was filled with clean soil for the school garden.

Board Member Appel asked that those present think creatively about a lease that could be applied to the King and West Campus pools. They should also discuss how best to use the Willard property for the students' benefit. Board Member Sinai asked that staff work on a timeline and bring it back to this committee. Councilmember Droste advised that the City Council would need to meet about this issue in closed session, and this will require more meetings with both the City and the BUSD. Mr. Ferris said he and Mr. Calise have been meeting and are ready to start but they will need direction from the School Board.

Councilmember Hahn stated that she has not had the opportunity as a Councilmember to discuss questions about this issue. This 2x2 Council Committee does not have the authority to direct staff's work. She felt that both the City and BUSD need to come together on some kind of agreement, and until both entities have had that conversation, she did not think that Mr. Ferris or Mr. Calise should be working on the terms. She thought that by June 30, 2020, each entity would have completed its separate processes. Board Member Appel agreed a firm deadline would be needed. Councilmember Droste felt that there was consensus to encourage both sides to meet and work on the details. Mr. Ferris reminded all that the agreement ends on December 31, 2020 and that this is a hard deadline for the pools.

Councilmember Droste asked that the remaining agenda items be carried over to the next meeting:

- Affordable Housing
- Oxford Geological Study.

The meeting adjourned at 10:18 a.m.