

PASADENA UNIFIED SCHOOL DISTRICT
Surplus Property "7-11" Committee Meeting / Burbank Property
Draft of meeting minutes of Meeting No. 2 on March 15, 2017 at 7:00 p.m.

Location of meeting: Burbank Complex, 2046 Allen Avenue Altadena, CA. 91001 in the Auditorium.

PUSD Staff present: Jessica Frazier, Construction Specialist.

Atkinson, Anderson, Loya, Ruud & Romo (AALRR) Law Firm: Constance J. Schwindt, Attorney and Stephen M. McLoughlin, Attorney.

1. PRELIMINARY

a. Call to Order the meeting was called to order at 7:05 p.m.

b. Roll Call- the quorum was established the following members were present/absent.

- | | |
|---|--|
| 1. Francis B. Boland | <u>Absent</u> |
| 2. Mark C. Nicoletti | <u>Absent</u> |
| 3. George L. Tan | <u>Present</u> |
| 4. Blair L. Miller | <u>Present</u> |
| 5. Helena A. Ayala | <u>Removed- Ms. Frazier advised the committee that Ms. Ayala is no longer member of the 7-11 committee she will be removed from the next meeting agenda.</u> |
| 6. Lewis R. Watson | <u>Present</u> |
| 7. Robert L. Martinez | <u>Present</u> |
| 8. Kathleen M. Sanchez | <u>Present</u> |
| 9. Ms. Frazier introduced the committee to a new member Mr. William Creim he was present. | |

2. PLEDGE OF ALLEGIANCE- was recited.

3. INTRODUCTIONS

a. 7-11 Committee Members, District Staff and Consultants, if any

- Legal counsel Constance & Stephen and PUSD staff Ms. Frazier introduced themselves.

4. COMMENTS FROM THE FLOOR

- There were no comments on non-agendized items.

5. APPROVAL OF MINUTES OF FEBRUARY 1, 2017 MEETING

a. Motion By George Tan Seconded by Lewis R. Watson
Vote 6 to 0

- Minutes were approved as submitted.

6. REVIEW OF BURBANK PROPERTY INFORMATION AND DISTRICT ENROLLMENT

a. Committee discussion

- Ms. Frazier provided the committee with a spread sheet showing the district wide enrollment count for School Years: 2014-15 2015-16, 2016-17.
- Ms. Frazier also provided the committee with the approved board reports from November 16 2010 and June 20 2011.
- Below are questions that the members asked: Where would the District move the Pre K Special Education program if the Burbank Property is declared surplus? What are the home schools for these students? Can the District provide a breakdown of the specific programs at Burbank attended by students and if they attend part time or full time? What is current enrollment for Stratford school? If the District's Dual Language Immersion Programs increase is there enough room available at another site for this?
- Staff will provide responses at the next meeting.

7. DEVELOPMENT OF PRIORITY USE LIST / ACTION

- Ms. Schwindt passed a sample priority use list to the committee so that they can get an idea of what it looks like. She informed the committee of the statute requirements of the public hearings.

a. Approval of Priority Use List

Motion By _____ Seconded by _____ Vote _____

- Public Comment: Monica was concerned about how the notice for this meeting how was it published? She is also concerned about the growing number of Charter schools in the Pasadena area and about privatization of a community resource.
- Ms. Miller noted that the committee has to have their questions answered prior to developing a priority use list.

8. ESTABLISH DATE / TIME FOR FIRST PUBLIC HEARING ON BURBANK PROPERTY

- Ms. Miller made a motion to in addition to the legal requirements of noticing for the public hearing to do a press release to local standard media newspaper and to post the notice at the Burbank site. All in favor. Vote: 6 to 0.
- The committee will decide via email communication on the dates for the two public hearings. They will have one in the morning and one in the afternoon on any of these dates 4/19, 4/16 or 4/28. The location of the public hearings will be determined once the dates are confirmed but it was decided that one public hearing be held at the Burbank property in the morning and one public hearing in the afternoon at the District offices.

9. DEVELOPMENT OF DRAFT REPORT

- The consensus of the committee was that they establish the subcommittee at the second public hearing.

10. DISCUSSION OF TIMELINE AND NEXT COMMITTEE MEETING / ACTION

- Ms. Miller motioned to schedule the upcoming meeting on March 29, 2017 at the same time at the District offices located at 351 S. Hudson Ave. in room 229. Vote: 6 to 0

11. COMMENTS FROM COMMITTEE MEMBERS

- There were no additional comments from the committee members.

12. ADJOURNMENT

- The meeting was adjourned at 8:10 p.m.

MEMORANDUM

TO: Members of the Advisory Committee

FROM: Nelson Cayabyab, Chief Facilities Officer
District Legal Counsel

DATE: March 29, 2017

RE: Responses to Questions from March 15, 2017 Meeting

This memo provides further responses to the questions and inquires made by members of the Surplus Property “7-11” Committee during the March 17, 2017 meeting in regards to the District’s Burbank Property (the “Burbank Property”). As indicated below, some of the responses reference documents, which are attached.

The District provides this memo and associated documents for informational purposes only. If the Committee has any additional questions, District staff will respond accordingly.

1. Question 1: The District is currently using a portion of the Burbank Property for Hodges Pre-Kindergarten / Special Education Program (the “Program”). Where will the District move the Program if the Burbank Property is declared surplus? Where do these students currently reside?

As discussed during the March 17, 2017 meeting, the District currently conducts the Program on the portion of the Burbank Property. If the District declares the Burbank Property surplus, and disposes of it, the Program will likely be moved to one or more different sites currently operated by the District. These potential sites include: Franklin Elementary School, 527 W Ventura Street Altadena, CA, 91001 and Hodges Children Center, 136 W. Peroia Street Pasadena, CA, 91103. However, the District does not have to move the Program immediately. Any actions by the District to dispose of the Property, including through a lease, can require the Program to remain on the Burbank Property until the District is able to relocate the Program.

Students attend the Program on a part time basis. Therefore, not all students identify the Burbank Property as their “home school” and some Program students may have their travel time reduced if the Program is moved. The students currently participating in the Program live throughout the District, as well as outside of the District’s boundaries.

In addition, some of the portables on the Burbank Property are used for a Mental Health Center pursuant to a grant that is set to expire in 2018. The Mental Health Center will not be displaced.

2. **Question 2: The District previously provided enrollment data which shows the total enrollment at the Burbank Property from the 2014-2015 school year to present. Can the District provide a breakdown showing how many students enrolled in the specific programs at the Burbank Site and/or the number of part time and full time students?**

The enrollment information for the Burbank Site is attached as Exhibit A.

3. **Question 3: What is the current enrollment at Stratford School?**

According to the District's contact at the Stratford School, thirty five (35) students currently attend the Stratford's program at the Burbank Property.

4. **Question 4: If the District needs more space for its dual language immersion programs ("DLIP"), does it have property available besides the Burbank Property?**

If the District needs more space for its DLIP, or any other program, it currently has buildings available for additional uses. The District's Altadena Elementary School and Field Elementary School each currently have, or plan to have, a DLIP in the future. The new Linda Vista Elementary School site and San Rafael Elementary School site will have DLIPs as well.

Exhibit A:

As of 2016-2017 Early Childhood Programs/Child Development no longer has children on the Burbank campus. We moved the program to Altadena. We only have our enrollment offices here at Burbank.

Burbank Campus includes:

- Early Childhood Programs/Child Development offices
- Sped Ed offices
- Special Ed Infant Toddler program
 - Numbers are currently being counted
- Mental Health offices
 - From 2014-15 to present Mental Health has served 787 students. Please note that these students were primarily served at other school sites.
- Stratford private school

DRAFT
PASADENA UNIFIED SCHOOL DISTRICT
SURPLUS PROPERTY “7-11” ADVISORY COMMITTEE
(Burbank Property)
FINAL REPORT AND RECOMMENDATION

[DATE]

Submitted by: Francis B. Boland
William Creim
Robert L. Martinez
Blair L. Miller, Co-chair
Mark C. Nicoletti, Chair
Kathleen M. Sanchez
George L. Tan
Lewis R. Watson

District Liaison: Jessica Frazier , Construction Specialist

Legal Counsel: Constance Schwindt, Atkinson, Andelson, Loya, Ruud & Romo

Introduction and Process

Pursuant to Education Code Section 17388, et seq., before excess real property is sold or leased, the governing board of a school district must appoint a district advisory committee (“Advisory Committee”) to advise the governing board (“Governing Board”) on the disposition of such property. Education Code Section 17389 requires that the Advisory Committee be composed of not less than seven (7) nor more than eleven (11) members and must be representative of specific groups within the community. The Advisory Committee must consist of not less than seven (7) and not more than eleven (11) members, and must be represented by each of the following: (a) the ethnic, age group, and socioeconomic composition of the District; (b) the business community, such as store owners, managers, or supervisors; (c) landowners or renters, with preference to be given to representatives of neighborhood associations; (d) teachers; (e) administrators; (f) parents of students; and (g) persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restriction of the cities or cities and counties in which surplus space and real property is located. The Advisory Committee’s task is to review data to determine the amount of surplus space or real property available, establish a priority list for its use, provide community input on acceptable uses, and forward its recommendations to the Governing Board.

On [REDACTED], 2016, the Governing Board of the Pasadena Unified School District (“District”) took action and approved the appointment of an Advisory Committee. Based upon Governing Board’s authorization, the District appointed the following individuals to the Advisory Committee:

- | | | |
|----|---------------------------|--|
| 1. | Francis B. Boland | [landowner/renter—category (c)] |
| 2. | William Creim | Attorney—category (g) |
| 3. | Robert L. Martinez | [landowner/renter—category (c)] |
| 4. | Blair L. Miller, Co-chair | City of Los Angeles Budget Office—category (g) |
| 5. | Mark C. Nicoletti, Chair | Business Owner/Attorney —categories (b) & (g) |
| 6. | Kathleen M. Sanchez | Administrator—category (e) |
| 7. | George L. Tan | Teacher—category (d) |
| 8. | Lewis R. Watson | Parent /Teacher—categories (d) & (f) |

Therefore the committee consists of eight (8) individuals meeting all the required categories of representation.

Between February 1, 2017 and [REDACTED], 2017, the Advisory Committee met [REDACTED] times, including two public hearings, to determine whether to recommend to the Governing Board that the property identified below should be declared surplus and, if so, recommend whether it should be sold, leased, or otherwise utilized.

Property Reviewed and Background Information

The Governing Board asked the Advisory Committee to review the following District owned property (the “Property”):

Approximately [REDACTED] acres of land located at 2046 Allen Avenue, Altadena, California 91001, including approximately [REDACTED] square feet of building space, (the “Building”), which property is known generally as the District’s former Burbank Elementary School site (“together with the Building, the “Property”). (A depiction of the Property is attached hereto as Exhibit “A.”)

The Property was formerly used as an elementary school site which was closed in 2010. The Property is presently utilized for the following: (1) a special education program run by the District, (2) a mental health program run by the District, and (3) a private school pursuant to license agreement.

The special education program includes [insert number of students] who come from various parts of the District including [insert areas the students are from]. If the Property were to be declared surplus and disposed of, through lease or sale, the current students could be relocated to [insert relocation school or possible relocations schools]. The special education program includes [insert number of students] who come from various parts of the District including [insert areas the students are from]. If the Property were to be declared surplus and disposed of, through lease or sale, the current students could be relocated to [insert relocation school or possible relocations schools]. In addition to the District's current uses, Stratford School, Inc., as licensee, ("Licensee") utilizes a portion of the site to operate a private school under a short term license agreement with the District. Licensee has expressed an interest in leasing the Property for private school uses for a long term.

Before the Property or any portion of the Property can be disposed of through sale or lease, the Board must first decide whether or not to declare the Property, or any portion of the Property, surplus. Through the Advisory Committee, the Board has sought the community's input on this matter.

The Advisory Committee held public meetings on, February 1, 2017, March 15, 2017, April 29, 2017, _____, _____, _____ and _____, 2017 to discuss the possible disposition of the Property and corresponding priority uses. The Advisory Committee's _____, 2017 public meeting included a noticed Public Hearing and took place in the _____ of the _____ located at _____. The Advisory Committee's _____, 2017 public meeting included a noticed Public Hearing and took place in the _____ of the _____ located at _____.

During these committee meetings and Public Hearings, the Advisory Committee reviewed the enrollment capacities and projections as required by law, discussed whether the District has a need and use for Property, and the of the types of uses for the Property that would and would not be acceptable to the community. The Advisory Committee also discussed additional background information including the fact that the District is currently in a license agreement with Stratford School, Inc. and _____. [Add more detail on committee discussions and concerns voiced by public.] [For example: The following issues were part of the committee's discussions and/or public comment:

Members of the public expressed concern about expressed concern about charter school and the privatization of public resources.]

The committee learned that _____.

Understanding the needs of the _____ . The focus of the committee in considering the Property was to understand the impact of _____.

The committee felt that _____ could be addressed if _____. The committee was concerned that _____ would not be adequately addressed unless _____.

Some committee members and members of the public expressed concern about _____. One committee member. The committee then discussed _____ and learned that _____.

The preceding is by way of example only for the committee members and need not be included in the report.]

The Priority Use List that was circulated prior to the first Public Hearing on _____ is attached hereto as Exhibit “B.” The Priority Use List that was circulated prior to the second Public Hearing on _____ is attached hereto as Exhibit “C.” A summary of the meetings and the items discussed, testimony and information reviewed by the Committee can be found in Exhibit “D.”

[THIS IS WHERE THE COMMITTEE CAN INFORM THE BOARD OF ANY NUMBER OF ISSUES AND/OR CONSIDERATIONS THAT THE COMMITTEE AND/OR THE PUBLIC DISCUSSED OR RAISED DURING THIS PROCESS. THIS SECTION CAN BE AS LONG OR AS SHORT AS THE ADVISORY COMMITTEE WANTS. DISCUSSION OF WAIVER CAN BE INCLUDED] The Advisory Committee recognizes first and foremost that _____ [Identify primary concerns that were part of deliberations].

1.

[The Advisory Committee’s recommendation to the Board is made only contingent on the understanding _____.] Moreover, the Advisory Committee recognized the _____ [Add any additional concerns that were part of deliberations].

1. That the Property _____ [select one: be declared surplus or not be declared surplus].
2. That the Property _____ [Insert first priority of use: Example for Lease: “That the Property be leased pursuant to applicable law.”

[OPTIONAL:] Furthermore, the Advisory Committee requests that the Board take into consideration the following:

INSERT LIST OF SPECIFIC CONSIDERATIONS, IF ANY. CONSIDERATIONS CAN BE ANYTHING THE COMMITTEE BELIEVES IMPORTANT FOR THE BOARD TO CONSIDER AS IT MOVES FORWARD, SUCH AS NEEDS OF _____, ETC.]

[For example: The community recognizes the value of allowing one or both of the existing District run programs to continue on the Property. The Board is encouraged to consider retaining a portion of the Property to be utilized for District purposes.]

The preceding is an example only for the committee members and need not be included in the report.]

EXHIBIT A

EXHIBIT B

EXHIBIT C

EXHIBIT D