

AGENDA

PASADENA UNIFIED SCHOOL DISTRICT
Surplus Property "7-11" Committee Meeting
School Auditorium
San Rafael Elementary School
1090 Nithsdale Road
Pasadena, CA 91105

April 17, 2014 – 7:00 P.M.

1. PRELIMINARY

a. Call to Order _____ p.m.

b. Roll Call (Establishment of a Quorum)

- | | | |
|-----------------------|-------|-------|
| 1. Karla Cordova | _____ | |
| 2. Darrell Cozen | _____ | |
| 3. Kenyon Harbison | _____ | _____ |
| 4. Rudy Ramirez | _____ | |
| 5. Carla Riggs | _____ | |
| 6. Dorena Rodriguez | _____ | _____ |
| 7. Asma Saraj | _____ | |
| 8. Catherine Stringer | _____ | |
| 9. Michael Trujillo | _____ | |
| 10. John Van de Kamp | _____ | |
| 11. Don Watson | _____ | |

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS

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

4. APPROVAL OF MINUTES OF March 24, 2014 MEETING AND PUBLIC HEARING and APPROVAL OF MINUTES OF March 31, 2014 MEETING

Motion By _____ Seconded by ____ Vote _____

Motion By _____ Seconded by ____ Vote _____

5. PUBLIC HEARING ON SAN RAFAEL SITE

Public Hearing opened at _____ p.m.

The public is allowed to express itself regarding the San Rafael Site.

Public Hearing closed at _____ p.m.

6. DISCUSSION OF TIMELINE AND NEXT COMMITTEE MEETING

a. Discuss topics and timing for next Committee meetings and public hearings.

7. PUBLIC COMMENTS

Persons wishing to make comments to the 7-11 Committee on non-agendized items may do so at this time. Each speaker is requested to limit their comments to no more than three (3) minutes. Please fill out a Speaker Card and turn it in to the Chair if you wish to address the Committee.

8. ADJOURNMENT _____ p.m.

San Rafael Surplus Property 7-11 Advisory Committee.

The Committee welcomes the input of community members in order to develop the list of priorities, and to identify the limits of tolerance for the use of the Property.

Meeting Minutes: March 24, 2014

The third meeting was called to order at 7:04 p.m. in the School Auditorium at the San Rafael Elementary School by Dr. Watson.

Dr. Watson conducted the meeting and the Pledge of Allegiance

ROLL CALL:

Members Present: Darrell Cozen, Kenyon Harbison, Rudy Ramirez, Carla Riggs, Dorena Rodriguez, Asma Saraj, Catherine Stringer, John Van de Kamp, and Don Watson

Others Present: Dr. Pappalardo (CFO), Constance Schwindt (AALRR), Suparna Jain (AALRR), Eric Duyshart (City of Pasadena), members of the public

PRELIMINARY

Dr. Watson, Committee Chair, explained purpose of committee; goal is to get recommendations re use of San Rafael Site. Committee Members introduced themselves

APPROVAL OF MINUTES

Motion made by committee member Asma Saraj and seconded by committee member Kenyon Harbison, no corrections to minutes, minutes approved by all members present as received by e-mail

DISCUSSION OF SAN RAFAEL SITE

Dr. Watson asked those present to raise hands and identify whether they are parents of students in the school, residents of neighborhood, teacher at the school, etc. to understand demographic of individuals present

Dr. Watson went over timeline handout (timeline on one side, value of site on the other side)

- Background given on why committee here and seeking alternatives for use of site and to garner input from committee on how best to use the site

Dr. Watson asked Dr. Pappalardo to walk through and provide background

- Dr. Pappalardo explained that in Sept. 2009 the District started plans for campus-wide San Rafael modernization and that through that process District has discovered modernization plans for this site and building cannot be approved by Division of the State Architect. Accordingly, the District plans to currently vacate the site around July 1, 2017. The San Rafael school community – students, teachers and staff will be moved to the District's Allendale site.
- He stated that 7-11 committee set up to see what community would like to see at San Rafael School site after vacated.

Dr. Pappalardo took and answered questions from the public:

- Question: What if no changes are made to the school, can school remain?
 - Dr. Pappalardo stated that yes, however, anything relating to ADA upgrades or anything beyond basic maintenance cannot get approved by ADA because the final analysis from CGS is that there is activity in the fault zones under the school and thus cannot modernize
- Question: Can the District appeal for a variance from the State for the school site?
 - Dr. Pappalardo stated that the answer is no. The District has gone through CGS and has exhausted avenues. There are no additional avenues to get any variance
- Question: There is talk that a private or charter school may be able to use the property. How come PUSD cannot modernize, but a private or charter school may be able to be on the site?
 - Dr. Pappalardo stated that private schools are not governed by the same regulations public schools and thus do not need to comply with the same regulations.
 - District counsel: Suparna Jain – with respect to charter schools, the District would not be precluded from leasing to a charter school because charter schools are governed by their charter. Whether or not a charter school must comply with the Field Act depends on what is in their charter.
 - Committee member Catherine Stringer stated that she didn't think the Field Act were in question – that the current campus is in compliance with Field Act
 - District counsel Constance Schwindt responded to Committee member Catherine Stringer's statement saying: yes, the site is currently Field Act compliant, however the Field Act is at issue if modernized because the Education Code applies stricter codes to public schools.
- Question regarding timeframe what happens when school site closes.
 - Dr. Pappalardo stated that in the spring of 2017 before the site is completely vacated, the plan is to have bid package for sale or lease issued,
- Can the District modernize just one building or build on south playground school site?
 - Dr. Pappalardo explained that the buildings cannot be modernized. School-wide modernization was contemplated and cannot be done. District considered and looked at whether building could be constructed on south playground, however it was considered cost prohibitive.
 - Committee Member Carla Riggs commented that it should be noted that no handicap students currently at school and that the State does not require upgrade.
 - Dr. Pappalardo explained that eventually, the State will recommend closing the site. District counsel Constance J. Schwindt confirmed there is a liability issue with keeping the school open.
- There are a number of other surplus properties at the District. Have they leased any of them?
 - Dr. Pappalardo: Linda Vista is the only other site to go through the process. RFP is on the Board agenda.
- Public Question/Comment: Do you have potential leasees for this property?
 - Several contacts looking for surplus property over the years.
- Does the public have no say?
 - Dr. Pappalardo: Not true. City process for conditional use permit has public hearings and these meetings garner input for uses, wants, dislikes, etc.

REVISED MINUTES OF MARCH 24, 2014 – PUBLIC HEARING AT SAN RAFAEL

- District counsel: Constance J. Schwindt discussed this meeting and hearings in the future. Explained role of committee.
- Committee member Dr. Watson: provided explanation of public hearing process and requests to speak passed out.
- Committee member Kenyon Harbison offers opinion that as a protest vote, the property not be declared surplus.
- How long is all this going to take?
 - This committee's work completes this spring, then it goes to the Board.
- Is it ultimately going to be the Board who decides?
 - The Board will make the decision. There is no public vote.
- After July 1, 2017, where will the evacuation center be?
 - It can still be used as an evacuation center until there is a new tenant and arrangements can be made with the city and Red Cross. There is no current contract with the Red Cross.
- Public comment: Peer review report appears to contradict fault information and there may be an issue of reverse validation. Would like to see information regarding the past reports made available at public library
 - Dr. Pappalardo: The Dept. of the State Architect has accepted the final CGS report on this site as sufficient to not approve any modernization or remodeling.
 - Public comment/committee member comment: raised comment/concerns re classification of faults as "active."
- If a public charter school used the site, would it be tuition free?
 - Yes.
- Are we trading a public school for a very expensive private school?
 - A private charter school could be eligible for public funds.
- Public directed to take a look how this property is valued in the CD Ellis report to the Board of Education. Recommendations: lease \$470,000/year, sale \$11.8 million.
- List is provided of how the city could designate the property.
- Response by city official regarding approval process for designation of property.
- How long did it take to get a charter school into Linda Vista?
 - Dr. Pappalardo: The District will soon be accepting RFPs.
- How long has Linda Vista been boarded up?
 - Dr. Pappalardo: Since 2005.

PUBLIC HEARING ON SAN RAFAEL SITE

- Commenced at 8:10pm.
- Comments were received from members of the public regarding how they would like to see the San Rafael school site used, as well as discussion regarding issues and concerns they have regarding the San Rafael site.
 - Comments made regarding limits of tolerances, preferences for use:
 - Would support any proposal different from current plan
 - Remain public piece of property , public space
 - Not declared surplus, remain for public use
 - Maintain buildings in process, private school
 - Concern with deterioration of school site and effect on property value
- Public Hearing closed at 8:35p.m.

Brief Recess taken at 8:40p.m and Meeting resumed at 8:45p.m.

DEVELOPMENT OF DRAFT REPORT

- The Committee voted to delay discussion of the development of the draft report until next meeting, Motion made by Committee member John Van de Kamp and seconded by Committee member Kenyon Harbison.

DISCUSSION OF TIMELINE AND NEXT COMMITTEE MEETING

- Committee members agreed to hold next meeting on March 31, 2014 at 5:30p.m. at the District Boardroom. Committee members will use the meeting to go over tally results from survey distributed by the Committee at the March 24, 2014 meeting.

ADJOURNMENT

The meeting was adjourned at 8:54p.m.

NOTICE OF PUBLIC HEARING

NOTICE OF ESTABLISHMENT OF A PRIORITY LIST OF USE OF SURPLUS REAL PROPERTY THAT WILL BE ACCEPTABLE TO THE COMMUNITY AND NOTICE OF PUBLIC HEARING BY THE SAN RAFAEL SURPLUS PROPERTY ADVISORY COMMITTEE FOR THE PASADENA UNIFIED SCHOOL DISTRICT

Pursuant to Education Code Section 17390, the San Rafael Surplus Property Advisory Committee's ("Committee") task is to advise the Pasadena Unified School District's Board on the use or disposition of certain real property that is not needed for school purposes. In support of this task, the Committee may recommend whether or not the property should be declared surplus and, if so, how the property should be used (such as sale, lease, or other public use) based upon the community's limits of tolerance as identified by the Committee.

Pursuant to the provisions of Education Code Section 17390(b), the Committee has prepared a priority list of use of surplus real property that will be acceptable to the community for the following property:

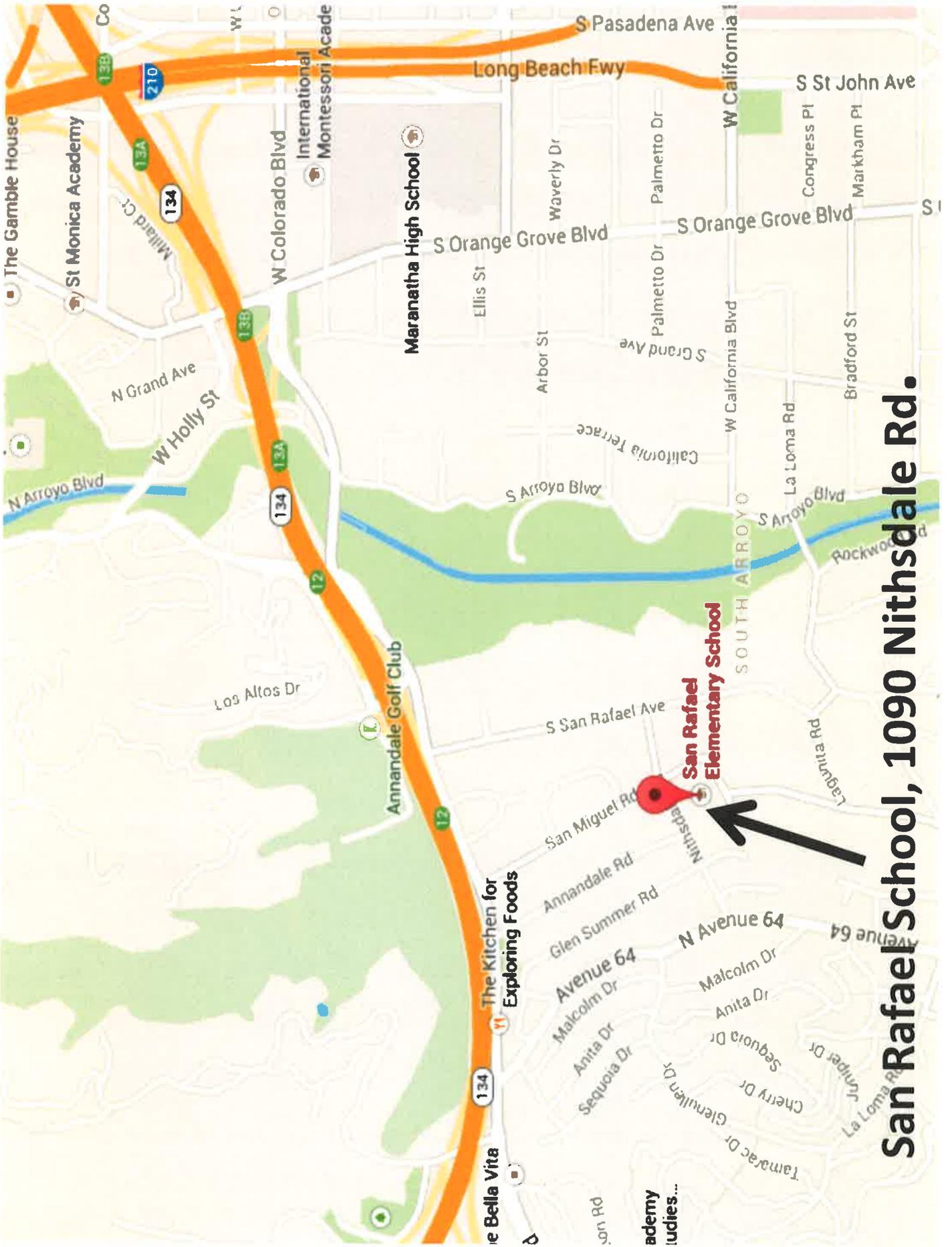
1. Approximately 3.2 acres of land located at located at 1090 Nithsdale Road, Pasadena, California, known generally as the San Rafael Elementary School site ("San Rafael Property"). A copy of the San Rafael Property site map is attached as Exhibit "A".

The recommendation of priority of uses for the San Rafael Property is as follows:

1. Sale of the San Rafael Property pursuant to applicable law.
2. Exchange of the San Rafael Property pursuant to applicable law.
3. Lease of the San Rafael Property pursuant to applicable law.

The Committee previously held a public meeting on January 27, 2014 and February 24, 2014, a public meeting and public hearing on March 24, 2014, and a public meeting on March 31, 2014, and has identified this potential surplus property and corresponding priority uses. The Committee will hold a Public Hearing for the San Rafael Property for the purposes of discussion of the priority use list set forth above. Said Public Hearing will be held on April 17, 2014 at 7:00 p.m. in the School Auditorium at the San Rafael Elementary School, located at 1090 Nithsdale Road, Pasadena, CA 91105.

Persons desiring additional information should contact Dr. John Pappalardo, Chief Financial Officer, at 626-396-3600.



San Rafael School, 1090 Nithsdale Rd.

Pasadena Unified School District
Surplus Property "7-11" Advisory Committee

San Rafael Elementary School
School Auditorium
1090 Nithsdale Road
Pasadena, CA 91105

Thursday, April 17, 2014 at 7:00 pm

Draft Minutes of March 31, 2014

DRAFT MEETING SUMMARY

PLEDGE OF ALLEGIANCE

The second meeting was called to order at 5:43pm in the Board Room by Dr. Watson. The pledge of allegiance was conducted.

ROLL CALL

Members present: Darrell Cozen, Kenyon Harbison, Rudy Ramirez, Karla Cordova, Dr. Saraj, Carla Riggs, Catherine Stringer, Dorena Rodriguez, and Dr. Watson

Others Present: Dr. Pappalardo (CFO), Constance Schwindt (AALRR), Suparna Jain (AALRR), Eric Duyshart (City of Pasadena), Mary Dee Romney, Ruthann Aull, Terry Tao (AALRR)

APPROVAL OF MINUTES

Because the minutes were not the final version, Mr. Harbison motioned to have a revision of the minutes presented today and brought back to the next meeting for approval. Seconded by Ms. Stringer.

DISCUSSION ON SAN RAFAEL SITE

- Dr. Watson presented and explained how the survey results were prepared. There were 49 surveys submitted at the public hearing. The four categories were identified: 1. Uses that would be preferred or tolerated; 2. Conditions of use that would be preferred or tolerated; 3. Uses that would not be tolerated; 4. Condition of use that would not be tolerated. He informed the committee that there were about 120 in attendance at the public hearing. He further explained that the survey results format can be combined to better fit the committee's need. The committee agreed on:

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- First Choice: Keep public school in West Pasadena
- Second Choice: Private School
- Third Choice: Park
- Fourth Choice: Single Family Homes
- A committee member stated that he would like to move for a re-vote as to what to do with the school. At the Public Hearing it was clearly stated that the community did not want it closed. Secondly, the next public hearing needs to be focused on assuming the District declares the school a surplus, what do we actually want to do with the school. The recommendation from this committee needs to reflect the will of the neighborhood which is not declare it surplus. But if it is, then we do sale or lease.
- Dr. Watson reminded the committee that the two motions made on February 24th were: 1. If it were declared surplus, it be leased; 2. If not leased, then sold.
- Dr. Pappalardo clarified that the property has not been declared surplus by the Governing Board. This is part of the process of going toward that action.
- Dr. Watson asked Dr. Pappalardo to clarify – on the agenda today there is no action item that would allow a motion. Another committee member reminded the committee that there was no action item on the previous meeting (February 24th) when the motion was made. Ms. Schwindt stated that both agenda items (Development of priority use list and development of draft report) are both discussion items. The motion of February 24th is invalid. Dr. Pappalardo clarified that a specific "action item" must be on the agenda. It was requested to have an "action item" on the next agenda (whether or not to declare surplus and what to do with it) which would be after the Public Hearing.
- Constance Schwindt explained that the development of the Priority Use List by consensus is the typical approach and that typically these committees do not take action to decide whether or not they will recommend the property as surplus until after the Public Hearing have been held; accordingly the prior meetings (with regard to development of the Priority Use List) were handled appropriately.
- Dr. Watson introduced Mr. Tao to the committee. He presented the letter to Mr. Tao from John R. Byerly Inc. Mr. Tao introduced himself to the committee. He further provided the committee with information (power point) related to the findings of the site as provided in the letter.
- Dr. Watson asked the committee the question: How much do we address, at the Public Hearing, the issue of the determination by the District that it can no longer be used by the District as a public school site or only, given that the District has

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already made that determination, what are the community preferences for the alternative uses and how do get their input.

- It was suggested that the school board did not do a good job of explaining what was done or the rationale of what was done then. A simpler timeline with more information would be helpful for the community.
- Dr. Watson asked the committee who was going to create the document that is going to be presented to the community.
- From the conversation, Dr. Pappalardo commented on the two things that need to be done:
 1. The survey (Darrell Cozen, Catherine Stringer, Dr. Saraj, and Dr. Watson)
 2. Quick one page timeline (how much detail needs to be on the timeline) (Dr. Pappalardo, Terry Tao, Catherine Stringer, Dorena Rodriguez, Kenyon Harbison and Dr. Watson).

DEVELOPMENT OF PRIORITY LIST/ DEVELOPMENT OF DRAFT REPORT

- Ms. Schwindt commented that the this list was put on the agenda so the committee could discuss and see if any comments or changes needed to be made.
- The committee agreed on the following priority use list:
 1. Sale
 2. Exchange
 3. Lease

DISCUSSION OF TIMELINE AND NEXT COMMITTEE MEETING

- Next Public Hearing was scheduled for Thursday, April 17th at San Rafael at 7pm.
- Next regular meeting was scheduled for April 28th at 5:30pm at the Ed Center.

COMMENTS

Ms. Romney had a question and a point to be explored – it has been her understanding that the proceeds from the sale to go toward a new facility, the District would have to show that it does not have the excess capacity.

ADJOURNMENT

The meeting adjourned at 8:33PM.