Cubberley Community Advisory Committee (CCAC)

Meeting # 12

October 30, 2012
Cubberley Community Center
4000 Middlefield Road, Palo Alto, CA 94303
Room H-1
5:30-7:30 PM

1. Welcome and call to order

2. Oral communications

3. Approval of the October 17 meeting action notes

4. Update on the October 18 CPAC meeting

5. Presentation on joint use facilities

6. Discussion of the Cubberley forum including the public outreach plan
   a. Thursday, November 8, 2012 at 7:30 PM at the Cubberley Theater

7. Future meetings

8. Adjournment

ADA. Persons with disabilities who require auxiliary aids or services in using City facilities, services, or programs or who would like information on the City's compliance with the Americans with Disabilities Act (ADA) of 1990, may contact (650) 329-2550. Sign language interpreters will be provided upon request with 72 hours in advance notice.

Meeting materials will be provided at the meeting. Visit www.cityofpaloalto.org or call (650) 617-3174 for more information.
1. Welcome and call to order

2. Oral communications
   - George Browning of Palo Alto spoke and thought it did not make sense to discuss and brainstorm recommendations and alternatives for the short term (5 years) at this point

3. Approval of the October 3 meeting action notes
   - Approved

4. Discussion and brainstorming of recommendations and alternatives for the short term (5 years)
   - SEE THE ATTACHED LIST OF QUESTIONS THEY WERE WORKING FROM
   - The CCAC randomly divided into three groups and came up with the following:

   - **Group 1**
     - **Question 1**
       - Renew a lease for 5 years
     - **Question 1B**
       - Transfer, in some process, the city’s 8 acres to the school district
       - Remove covenant not to develop and renegotiate $2M
       - Share maintenance costs and planning
       - Find a way for more child care at Cubberley and other school district sites
       - Include access to and/or preserve other school district fields and gym space
       - City to offer leases to tenants for same 5 years
     - **Question 2**
       - No, not feasible
     - **Question 3**
       - Develop MOU defining joint use of site
• **Group 2**
  • **Question 1**
    - Yes, city has lots of uses, school has few in short term
    - Lease doesn’t have continued utility in present form
    - Considerable issues in relation to all city infrastructure challenges (IBRC reference) but was only looked at from financial point of view
    - Is 5 year lease the right amount of time?
      - Foothill 3 years...
    - Does current covenant lock 5 years?
      - Could be amended on mutual agreement
  • **Question 1A**
    - Need to start with existing lease, delete what doesn’t work
    - Maintenance issues in short term
    - Under what conditions would it be renewed?
    - Term equal to 3 or 5 years? Or related to departure of Foothill?
    - What does city get for covenant not to develop?
    - Has become meaningless in current time
    - Could amend lease to eliminate/change to other city benefit
    - New covenant could make sense in today’s time
    - Possibility of school district assuming responses for some of the immediate capital improvements (some are on school owned buildings)
    - School District could make commitments to build full size fields or multi-use available to city on new builds outside Cubberley (possible shared uses)
    - Reasonably accessible joint-use sites (price, availability)
    - Use ‘joint-use’ thinking above specific to Cubberley – shift maintenance and upkeep to School District
    - Classrooms for programs, fields, irrigation, etc.
    - Childcare: make an agreement to expand at other sites to offset city’s investment at Cubberley
  • **Question 1B**
    - Serious reevaluation on tenants
    - Who is chosen and how
    - Charge
    - Serious gap that could be improved
    - Maximize availability/profit
    - Less subsidy
    - More property manager mindset
    - Better utilization of resource
    - Do it gradually
    - Maybe different way stop use space
  • **Question 1C**
    - Yes
    - Zoning may be prohibitive
    - Departure of Foothill may be opportunity for new tenants to generate money
• Rents should cover maintenance for facility (day-to-day and capital/deferred)
  o Should be cost neutral
  o Corrective, ongoing, preventative?
  o Timing/plan is-at

• **Question 1D**
  • What could you put into 5 year lease that could bind ‘flexibility’?
  • What form should the lease renewal take to maximize opportunities?
  • Lease isn’t problem, common vision by School District and city needs to be decided and executed
  • Could covenant be used to shape the vision?
    o Timeline for concrete planning
    o MOU to ‘use 5 years productively
    o Continue discussions as decisions become clearer
    o Otherwise, loss of valuable time
    o Is resolving worth it?
    o Should we wait?
    o Some flexibility there now, could keep status quo

• **Question 2**
  • No to a 2014 bond measure
    o It is a community need
    o Need to know competing needs for bond measure
    o Could be desirable to keep something for 8 acres on 2014 bond
    o School has more support for bond
      ▪ Can go to voters with less detail on projects
      ▪ City needs more detail
  • Doing bond for just 8 acres might be problematic in public perception/uncertainty
  • Could we, through lease/covenant build in obligations to come to affirmative agreement on some plan and force parties to agree?
    o If city goes ahead with plan to develop 8 acres on its own, it may not be best plan for City/PAUSD/both
      ▪ Don’t want to confine to city vs. school on acreage

• **Question 3**
  • Sit down in good faith and talk about what School District and City have in common
    o Professional proctoring
    o Come with specifics
    o Could build common use spaces in the interim
    o Neither party currently has money – need votes
    o Could go to voters together
  • Possible (Finance committee)
    o ‘Educational purposes’ is broadly defined (55% bond)
  • Go through tenants and answer questions regarding here vs. somewhere else
  • Big question is does city and school district want to work together?
  • Put together the data/decision makers can have good factual basis for discussions
  • Fully informed for proper judgment
  • Craft affirmative action obligation for each arty
  • If enrollment continues to increase, discussion about alternative timetable
• **Group 3**
  • **Question 1**
  • Keep open? Status Quo
    o Planning will take 5 years and incremental periods to allow for planning
    o Strive to honor tenant business plans
  • **Question 1A**
  • Commitment from school district and city to work cooperatively to plan all 35 acres, the whole site:
    o District to share funding for planning
    o Hard to expect school district to design school
    o Clarify maintenance issues
    o Quality conditions/ for subsequent terms or extensions
    o Lease renewals/and period extensions (3-5 years/10 years?)
    o Is the 8 acres in the right place (land configuration)?
    o What 8 acres would meet community needs?
    o Don’t lock into something we would regret
  • **Question 1B**
  • Uses need to reflect inter-generative, multi-cultural needs (cultures = people)
    o Implement city bike plan for better access to Cubberley
    o With new tenants, the tenants to share responsibility for improving the room/facility (refinishing dance floor for example)
    o Tenants to chip in special assessment for improvements (like homeowner assessment or fee around the facility)
    o New tenants pay higher rates
    o No grandfather clause for low rates
    o We should look at criteria for all renters – just like there is for selection of artists
  • **Question 1C**
  • Costs – Should be shared, but how?
    o By square footage
    o Tenant fees to be covered by tenants
    o If school district is sharing maintenance, it should be eased into
  • **Question 1D**
  • Tenants need some sense of certainty (lease)
    o Initial lease 3-5 years and at least one year increments thereafter
    o Year to year lease and tough for renters/tenants
    o Need to have a clear long-term overall plan so that we don’t prolong the campus uncertainty – within 2 years
    o Need to consider a ‘new model’ for what the future high school may look like – Not same old model
    o School design to reflect ‘modern’ teaching design and flexibility as much as possible
  • **Question 2**
  • Multiple sources of site assessment – the more analysis/perspectives the better
  • Access to other high school fields need to be part of the whole deal (not to develop)
  • Include gyms, pools, and child care space
• Bond for 8 acres? Too soon in 2016?
  o Goal for 2014 should be complete redevelopment plan
  o Go for comprehensive bond just for Cubberley
  o 2016 may be affected by Presidential election cycle
  o Don’t wrap Cubberley with sewer infrastructure bond
  o Bond measures for “make-shift” community center facility won’t pass – do it right
  o Joint use programs take 5-10 years to do right

  **Question 3**
  • Alternate transportation strategies (bike, bus, shuttle, pedestrian)
  • Maintenance of building should be built in x timeframe?
  • Consider grants for these special ethno studies
  • Design must be flexible – adaptive to changing needs

  **Question 4**
  • Use the time before the bond to do adequate planning and thoughtful design
  • Something will be built in x years, but it needs to be done right (condition of lease joint funded)
  • Use of full site – including San Antonio should be planned before anything built (Elementary school needs to fit in well, don’t box in options)
  • Needs to be a real strategy/mechanism for broad community input on designs – not just committee
  • The design team much include ethnographic specialist instead of ‘standard’ architects to understand the problem
  • Need to have ‘observational planners’
  • Full cultural assessment to meet all cultural needs
  • The design needs to be unique to our community/needs
  • Regardless of design costs – do it right. Don’t scrimp

5. Discussion of Cubberley forum  
  a. Thursday, November 8, 2012 at 7:00 PM at the Cubberley Theater
  b. Time was changed to 7:30 PM

6. Future meetings  
  a. Next CCAC meeting will be October 30th or November 1st

7. Adjournment
Exercise For October 17 Cubberley Community Advisory Committee

Development of Short Term (5 years, 2015-2019) Issues—Small Group Discussions

At the October 17, 2012 meeting, the CCAC Steering Committee suggests that we have a discussion focused on the short term issues associated with Cubberley’s future. The Steering Committee proposes starting with the short term issues inasmuch as much of the data and background necessary to consider meaningful recommendations, alternatives and comments have substantially been presented by the Subcommittees. Future CCAC discussions will address medium and long term issues after all Subcommittee deliverables are available to the full CCAC.

The proposed format is for the CCAC to break up into 3 random groups insuring that each group has at least one representative from each Subcommittee. The discussion should take about 30 minutes followed by a 5 minutes presentation from each group to the CCAC. Comments, questions, recommendations and alternatives and will be recorded and available to the full CCAC for our on-going discussion and as input for the development of the draft committee report.

The following questions are provided to frame the short term issues to facilitate conversation and brainstorming:

1. Should the City Renew its lease with PAUSD for an additional 5 years?
   a. If the City were to renew its lease, under what conditions? How would a revised covenant address on-going needs?
   b. What are recommendations for changes to tenants and rents?
   c. Should PAUSD and the City share in maintaining Cubberley?
   d. How should the lease be structured to maintain maximum flexibility for the future uses of Cubberley?
2. Is it feasible to include a community facility on the City’s 8 acres in the 2014 Bond measure? Is this a community need?
3. What actions or planning activities should PAUSD and the City undertake during the next 5 years to advance the determination of the best possible future of Cubberley, and build a consensus for that future?
Finance Deliverable #3

Research existing joint use facilities in other communities for lessons learned and guidance for our effort.

Due Date: Oct. 19th

Outline/Process

- Gathered available documentation on Joint Use projects
- Chose 3 examples to study in depth – based on similarity to Cubberley
  - Wadsworth, Ohio High School & Community Campus
  - Emeryville, CA Center for Community Life
  - Livermore, CA School Upgrades, City Library & Youth Community Center
- Gathered data
  - Partners
  - Facilities (including sq. ft)
  - Total Cost and Funding Mechanisms
  - Implementation Timeline
- Common Threads and Lessons Learned
- References
Emeryville Center for Community Life

Partners:
• Emery USD
• City of Emeryville

Facility Overview
• 9-12 High School  ➔ 750 students
• K-8 Lower School
• School Multi-Purpose Room
• Admin for School & Community
• Community/School Library
• Community Pool
• Community Dance/Aerobic Space
• Community Multi-Purpose Room
• Community Amphitheatre
• 3 level design w Terraces
• Security Control Points
• Phase 2 – theatre, gym, classrooms

Approx. 7.6 acres
115,100 sq. ft facility

ECCL has Phase 2 plan and Defined Boundaries

Approx. 7.6 acres
115,100 sq. ft facility
Emeryville Funding and Timeframe

• Cost / Funding
  Phase 1: $80M (w/ $10M flex)
  – School will use a $48M 55% General Obligation Bond
  – City will provide $21M in State Redevelopment $s.

• Timeline
  – In planning for 10 years- program plan first issued in 2003
  – Currently on 3rd MOU
  – Approved the conceptual design March 2012
  – Move in date is currently estimated August 2015

ECCL is still in development and concern is being raised over the state commitment of redevelopment funds.
WADSWORTH COMMUNITY CAMPUS

Core Academic
Arts & Athletics
Recreation
Health & Wellness
Senior Center
WCTV

Facility Overview
- 9-12 High School (1629 students)
- Recreation Facility
- Senior Center
- Health & Wellness Center
- Outdoor and Indoor Pools
- Pediatrics and Dentistry
- Media / Public Library
- Existing Middle school on site (782 students)

Partners:
- Wadsworth Schools
- City of Wadsworth
- Public Library
- Private Health System

Approx 65 acres
450,000 sq. ft

450,000 sq. ft
Wadsworth Funding and Timeframe

- **Cost / Funding - $105M**
  - $65M from a General Obligation Bond by the Schools
  - $24M from Ohio Schools Facility Commission (37% of GOB)
  - $16M city commitment for Community Center
    - Partners and capital corporate campaign

- **Timeline – 4 years !!**
  - Presented to community in May 2008
  - Bond approval in November 2008
  - School opened in Fall 2012
  - Community Center opening scheduled for December 2012

Taking advantage of state funds available pushed the community to take action.

Livermore, CA

- **Facility Overview – 3 projects**
  - Modernize 7 of 20 schools
  - Youth Community Center
    - 75,000 sq. ft. indoor
    - 45,000 sq. ft. aquatic center
  - Civic Center Library
    - 56,000 sq.ft

- **Partners:**
  - Livermore Valley USD
  - City of Livermore
  - Livermore Area Park & Recreation District
Livermore Funding and Timeframe

- **Cost / Funding** - $150M thru a General Obligation Bond led by the school
  - $110M for school upgrades
  - $20M Civic Center Library
    - LVJUSD received special legislation (EC 18104) authorizing joint use library to be built on other public entity land within 1 mile of site.
  - $20M Youth Community Center

- **Timeline – 5 - 10 years**
  - Two failed votes in the early '90s (School Parcel Tax and Parks GOB)
  - 1975 Tax override set to expire in 2000 gave impetus for action
  - Community Survey March 1998
  - Bond approval in March 1999 (passed with 82% of the vote)
  - Library opened in 2004
  - Community Center opened March 2005
  - School funds exhausted June 2008

This joint effort was done primarily to save election expenses and to provide a compelling opportunity that voters would support.

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7 Steps to Effective Joint-Use Partnership¹

from document published by Berkeley's Center for Cities and Schools

**DONE**

1. Identify a local need that a joint use partnership might address

2. Identify essential joint use partners

**DONE**

3. Develop a positive, trusting relationship with partners
4. Build political support
5. Build a joint use partnership within the context of the local community
6. Formalize the partnership with an MOU
7. Foster ongoing communication and monitor the progress and impact

**IN PROGRESS**

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¹ Center for Cities and Schools, University of California, Berkeley

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This joint effort was done primarily to save election expenses and to provide a compelling opportunity that voters would support.
Type of Funding for Joint-Use Projects through School Districts

- **State General Obligation Bonds**: These funds are voted on by the entire state. They can be directed one or several areas such as education, transportation, and parks. As of June 2008, there was $1.3 million left from Prop. 47, $8.2 million from Prop. 95, and $1.5 million from Prop. 1B, for a total of $12.1 million. So not a strong prospect for us to pursue.

- **Local General Obligation Bonds**: School districts use these bond funds to match the state required contribution for school construction projects. Local bonds must be approved by 55% of the vote within the district. They are repaid using local property tax revenue. Local bonds have raised $41 billion in the past decade.

- **Developers Fees**: School districts are allowed to levy fees on new residential, commercial, or industrial developments for school construction projects. These fees can provide a moderate amount but vary significantly by community depending on local development.

- **Special Bond Funds**: Known as “Mello-Roos” Bonds, these funds allow school districts to form special districts to sell bonds for school construction projects. These bonds require 2/3 voter approval and are paid off by the property owners in the special district. These bond funds have produced $3.7 billion in the past 10 years.

Very little state money is available and PA isn’t a strong candidate so local options are our best bet.

Potential Challenges to Joint Use

- **Aligning Partnership Goals**: The long-term nature of the partnership requires parties to develop similar goals and objectives for the funding and management of the project.

- **Operations and Maintenance**: The hours of use, security, and cost maintenance should be addressed upfront to avoid confusion and misunderstandings.

- **Regulatory Constraints**: Construction projects have various levels of regulation depending on the community and the environment. The Field Act contains higher construction standards for school facilities. Therefore, if community centers and buildings are to be used by school districts, they must also comply with the Field Act. These types of differences should be reconciled among partners before the project advances.

- **Joint-Use Fund Restrictions**: Requirements set forth in SB 50 state that projects using state school construction funding must be on property owned by school districts.

- **Restrictions on Private-Public Partnerships**: There are currently limited opportunities for public-private joint use partnerships.

- **Long-Term Commitment**: School districts and their partners have stated concerns about joint-use projects and the long-term costs associated with them. Liability issues may also arise.
Major Takeaways

• Joint Use projects are being done all over in all forms
• It takes time to pull the projects together - Project of our scope...
  — 2-5 years in Ohio
  — 5-10 years in California
• Successful projects have communities that embraced them
  — Key tools used: Community surveys, Community advisory committees, community forums
• Funding comes from a variety of sources but typically the school takes the lead
  — Most successful examples have either outside funds they want to leverage or a transition in a local tax
• Significant up front work needs to be done on MOU or Joint Use Agreement to define structure of the project and the relationship of the entities involved

References

   http://citiesandschools.berkeley.edu/reports/CCS_PHLP_2008_joint_use_with_appendices.pdf
   CASE 1: OPENING SCHOOL PLAYGROUNDS TO THE COMMUNITY? THE CITY AND COUNTY OF SAN FRANCISCO AND SF UNIFIED SCHOOL DISTRICT
   CASE 2: BUILDING NEW JOINT USE GYMNASIUMS: GARVEY ELEMENTARY SCHOOL DISTRICT AND THE CITY OF ROSEMEAD
   CASE 3: EXPANDING CHILDCARE OPPORTUNITIES: CLOVIS UNIFIED SCHOOL DISTRICT AND STATE CENTER COMMUNITY COLLEGE DISTRICT


4. California’s K-12 Educational Infrastructure Investments: Leveraging the State’s Role for Quality School Facilities in Sustainable Communities 2012
   http://citiesandschools.berkeley.edu/reports/CCS_2012_CA_K12_Edu_Infra_Exec_Sum.pdf

5. Primer on Joint Use

6. Emeryville Center of Community Life current website
   http://www.emeryvillecenter.org/

7. Wadsworth High School and Community Complex 2008-2012