Cubberley Community Advisory Committee (CCAC)

Action Notes

Meeting # 11

October 17, 2012
Cubberley Community Center
4000 Middlefield Road, Palo Alto, CA 94303
Theater
5:30-7:30 PM

1. Welcome and call to order

2. Oral communications
   • George Browning of Palo Alto spoke

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

4. Discussion and brainstorming of recommendations and alternatives for the short term (5 years)
   • The CCAC randomly divided into three groups and came up with the following answers to the questions below:

   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?

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- **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 (Voted Yes 6-0)
    - Remove covenant not to develop and renegotiate $2M (Voted Yes 6-0)
    - Share maintenance costs and planning (Voted Yes 6-0)
    - Find a way for more child care at Cubberley and other PAUSD sites (Voted No 5-1)
    - Include access to and/or preserve other PAUSD fields and gym space (Voted Yes 4-2)
    - City to offer leases to tenants for same 5 years (Voted No 5-1)
  - **Question 2**
    - No, not feasible (Voted No 1-5)
  - **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?
  o 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

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**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:
    - District to share funding for planning
    - Hard to expect school district to design school
    - Clarify maintenance issues
    - Quality conditions/ for subsequent terms or extensions
    - Lease renewals/and period extensions (3-5 years/10 years?)
    - Is the 8 acres in the right place (land configuration)?
    - What 8 acres would meet community needs?
    - Don’t lock into something we would regret

• **Question 1B**
  - Uses need to reflect inter-generational, multi-cultural needs (cultures = people)
    - Implement city bike plan for better access to Cubberley
    - With new tenants, the tenants to share responsibility for improving the room/facility (refinishing dance floor for example)
    - Tenants to chip in special assessment for improvements (like homeowner assessment or fee around the facility)
    - New tenants pay higher rates
    - No grandfather clause for low rates
    - We should look at criteria for all renters – just like there is for selection of artists

• **Question 1C**
  - Costs – Should be shared, but how?
    - By square footage
    - Tenant fees to be covered by tenants
    - If school district is sharing maintenance, it should be eased into

• **Question 1D**
  - Tenants need some sense of certainty (lease)
  - Initial lease 3-5 years and at least one year increments thereafter
  - Year to year lease and tough for renters/tenants
  - Need to have a clear long-term overall plan so that we don’t prolong the campus uncertainty – within 2 years
  - Need to consider a ‘new model’ for what the future high school may look like – Not same old model
  - 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?
    - Goal for 2014 should be complete redevelopment plan
    - Go for comprehensive bond just for Cubberley
    - 2016 may be affected by Presidential election cycle
    - Don’t’ wrap Cubberley with sewer infrastructure bond
    - Bond measures for “make-shift” community center facility won’t pass – do it right
    - 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
   • Time was changed to 7:30 PM

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

7. Adjournment