

July 18, 2007

To: Board Members
From: Rodger Smith
Through: Tom Bishop
Subject: Facilities Report for July

OCEAN AIR SCHOOL

The construction of Ocean Air School is entering its final phase. Activities that are currently taking place include: continuing installation of landscaping, continuing installation of fencing, testing and programming mechanical systems, testing the fire alarm system and identifying minor repairs that will need to be completed as a part of punch list responsibilities. Phone service is scheduled to be installed on July 19 and slurry sealing the asphalt playground and parking lot areas will be completed on July 27. Job site trailers are being removed this week; the Barnhart project team members will be moving into a spare classroom following this week. Move in by the principal and administrative assistant are scheduled for August 6.

The project continues to be on time and under budget.

TORREY HILLS WINDOWS

Attorneys for the District and Douglas E. Barnhart, Inc., continue to negotiate full recovery of the cost of repairs for the windows at Torrey Hills School. Progress is gradual but steady.

RECOMMENDED: For information only.

8.1

Ocean Air School Construction Expenditures				
		Budget	Revised Budget	Expenditures as of 7/18/07
A	SITE			
	Purchase Price of Property			
	Purchase Price 6.25 acres	3,695,000	3,695,000	3,695,000
	District's construction contribution for joint use fields	1,560,000	1,675,173	-
	Escrow Costs			
	Escrow & Title Fees	4,000	4,000	9,236
	Legal Fees	5,000	5,000	2,936
	Appraisal Fees			
	Cost of original & updated appraisals	10,250	13,750	13,750
	Surveying Costs			
	Land Surveys, Topos	30,000	55,565	72,161
	Site Support Costs			
	Environmental Consultant (EIR)	37,000	40,664	40,664
	Phase 1 / DTSC (school site & joint use site)	10,200	22,106	22,106
	Geotechnical Soils report/Geocon site	10,000	15,563	15,563
	Other Site Costs (permits, address)		1,206	406
B.	PLANNING			
	Architect/Engineering Fees			
	Architect Fees (Based on 25 Mil Contracts)	1,437,500	1,437,500	1,276,395
	Architect Reimbursable			
	DSA Plan Check Fees			
	DSA Fees	137,000	131,482	131,482
	CDE Plan Check Fees			
	CDE Fees	14,000	14,000	-
	Other Planning Costs			
	Bid Advertisements	2,000	473	473
	Printing			

		50,000	59,797	63,974
C. CONSTRUCTION				
Site Development				
Utility Services (water, gas, electric)		150,000	150,000	134,326
New Construction				
Contractor Trade Packages		24,849,000	24,849,000	20,740,167
Construction Management - Barnhart Construction				
Pre Construction		51,000	51,000	51,000
CM Fees 4.50%		1,118,205	1,118,205	982,344
General Conditions		1,200,000	1,200,000	802,314
CM Reimbursable		150,000	132,844	77,808
Other Construction Costs				
LCP Program		90,000	60,000	25,760
Storm Water Compliance		25,675	25,675	20,169
Shade structure hex (lunch shelter)		34,000	34,000	-
Other Construction (carpet, Network system, ins.appl)		620,000	620,000	395,462
Contingency		1,200,000	1,200,000	
D TESTING				
Testing Special Material		100,000	100,000	112,703
Geotechnics Testing		120,000	100,000	65,470
E. INSPECTION				
Inspection				
Inspector of Record		200,000	213,000	133,847
F. FURNITURE & EQUIPMENT				
Furniture & Equipment		700,000	700,000	25,357
TOTAL COST ESTIMATE				
Construction Costs Without Land		\$ 32,350,830	\$ 32,350,830	\$ 25,206,637

Construction Costs With Land	\$ 37,609,830	\$ 37,725,003	\$ 28,910,873	
Remaining Project Costs to Expend as of 7/18/07				
\$8,814,130				
Ocean Air School Funding Sources				
		Start Up Project Revenue	17-Jun-03 Remaining Available Revenue	
PROJECT REVENUE SOURCES				
Obligation of NCWJPA - Construction	\$ 14,000,000			
Escalation cost index	\$ 3,600,000	\$ 17,600,000	\$ 1,082,498	***
Obligation of NCWJPA - Land	\$ 7,000,000			
Escalation cost index	<u>1,095,238</u>	8,095,238	1,832,000	***
CFD 95-1 Available Construction Funds		4,000,000	169,556	
CFD 95-1 Bond Proceeds for construction			7,990,048	
State School Funding Eligibility			0	
Savings by Design SDGE		58,714	58,714	
Prior Years Start up costs		11,782	11,782	
Total Revenue Avail for Project		\$ 29,765,734	\$ 11,144,598	
			\$ (783,682)	Owe GF 03-772
			\$ 10,360,916	
*** Remaining revenue from NCWJPA is based on cashflow received over a period of time beginning July 2007 through July 2008				
Remaing Available Revenue as of 6/18/07	10,360,916			
Remaining Construction Costs to Expend as of 5/10/07	<u>\$8,814,130</u>			
	1,546,786			

Unused Project Contingency	\$ 1,200,000			
Current Remaining Project Revenue	2,746,786			
Bd Approved Change Orders				
C/O #1	\$ 110,333			
C/O #2	(33,249)			
C/O #3	(263,251)			
Waterline Reimbursement Agreement with Pardee	214,476			
C/O #4	(32,251)			
C/O #5	(15,729)			
Total	\$ (19,671)			

July 18, 2007

To: Board Members
From: Rodger Smith
Through: Tom Bishop
Subject: Review of Field Use Fees Including Email Correspondence of May 13, 2007 from Doug Politoske

On May 13, 2007, community member Dr. Doug Politoske communicated with Superintendent Tom Bishop via email regarding fees that are charged to groups that use the district's fields for a variety of different purposes. Mr. Bishop forwarded Dr. Politoske's email to me for a response. Following this memorandum, Board members will find email communications that were exchanged between Dr. Politoske and me on May 14, 2007. I have had no further communications from Dr. Politoske on this topic.

Also included with this item for the Board's information are excerpts from the DMUSD regulation regarding use of school facilities, a current comparison of the rates charged by neighboring districts for use of their fields and a summary of the use of district facilities by Kurtis Swanberg

A review of the information regarding rates that are charged for field use in the comparison indicates that the current Del Mar Union School District's rates for field use appear to be consistent and competitive with neighboring districts.

District staff will be available during the Board meeting to respond to questions or concerns that Board members have relative to the information provided with this report.

From:  "Doug Politoske" <dpolitoske@san.rr.com>

Subject: use of District fields

To:  Rodger Smith

Attachments:  Attach0.html

Dear Rodger Smith,

I was told that Kurtis Swanberg and his Allstar Baseball LLC are given free use of DMUSD fields. I am inquiring to find out if this is, in fact, true. I feel that a private, profit-making business such as Allstar Baseball should pay fair market rates for use of the district fields. I would appreciate it if you could verify exactly what the facts are relative to this situation. I will await your reply. Thank you in advance for your attention to this matter.

Sincerely,
Douglas Politoske
dpolitoske@san.rr.com



From: **Ⓜ Rodger Smith**
Subject: Re: use of District fields
To: **Ⓜ "Doug Politoske" <dpolitoske@san.rr.com>**

Mr. Politoske -

The individual who told you that Kurtis Swanberg uses our fields for free was mistaken. Kurtis pays the district \$5.00 per hour for use of district fields for practice and games by youth sports teams. When he operates a camp, which is considered a commercial activity, he is charged \$35 per hour or \$280 per day for field use.

I hope this information clarifies the question you asked. Please don't hesitate to contact me if you have additional questions.

Rodger Smith

From:  "Doug Politoske" <dpolitoske@san.rr.com>
Subject: Re: use of District fields
To:  Rodger Smith

Rodger:

Does Kurtis Swanberg have to follow any guidelines relative to how many baseball players on his youth sports teams must reside in the 92014 or 92130 zip codes? My understanding is that other programs have certain milestones which must be met in this regard. I am wondering if the same rules would apply to Mr. Swanberg. Also: Why is it that DMUSD does not consider his youth sports teams a commercial activity when he charges each player a seasonal fee of \$1,600.00 to participate? It seems that if his camps are considered a commercial activity, then it should follow that the practice sessions and games for his Riptides teams should be considered in a similar fashion. Shouldn't he be charged the \$280 per day or \$35 per hour for such uses rather than the \$5 per hour you have stated he is paying presently? Please advise.

Many thanks,
Douglas A. Politoske, M.D.

----- Original Message -----

From: "Rodger Smith" <rsmith@dmusd.org>
To: "Doug Politoske" <dpolitoske@san.rr.com>
Sent: Monday, March 26, 2007 1:32 PM
Subject: Re: use of District fields

> Mr. Politoske -

>
> The individual who told you that Kurtis Swanberg uses our fields for free
> was mistaken. Kurtis pays the district \$5.00 per hour for use of district
> fields for practice and games by youth sports teams. When he operates a
> camp, which is considered a commercial activity, he is charged \$35 per
> hour or \$280 per day for field use.

>
> I hope this information clarifies the question you asked. Please don't
> hesitate to contact me if you have additional questions.

>
> Rodger Smith
>

From: 📧 Rodger Smith
Subject: Re(2): use of District fields
To: 📧 "Doug Politoske" <dpolitoske@san.rr.com>

Dr. Politoske -

Use of our fields by Kurtis does require that a majority of the participants do reside within the 92014 and 92130 zip codes. According to the roster he has submitted to us, the eight year old team that is his only team that is using our fields, does comply with this requirement.

Regarding the rate that we charge Kurtis for use of fields for team practice and games, our policy states that the direct cost rate is to be applied for use of our fields "for practice and games by youth sports teams." The "direct cost" rate for this type of use is \$5.00 per hour. The policy does not address the amount that parents pay for their child's participation on a "youth sports team," so we believe that the application of the direct cost rate is compliant with our district's policy.

The difference that we see between the camps that Kurtis runs as a commercial activity and the practices and games for his eight year old team is that the camps are advertised and open to the general public; the camps do not appear to be limited to a roster of specific players that would constitute a "team." Kurtis has produced a roster of the eight year old team that is, according to him, the team that is practicing and playing games on our fields. Although I do not know a great deal about the organization that is either managed or owned by Kurtis, it does appear that his use of the fields is for a specific "youth sports team" for practice and games, and thereby, qualifies for the "direct cost" rate.

I hope this information is helpful in responding to your questions. Please don't hesitate to contact me if I can provide any additional information.

Rodger Smith

DEL MAR UNION SCHOOL DISTRICT
COMMUNITY RELATIONS

ADMINISTRATIVE REGULATION TO BOARD POLICY 1330:
USE OF SCHOOL FACILITIES

Field Scarcity

The Governing Board recognizes that the Del Mar/Carmel Valley area lacks an adequate number of youth ball fields to accommodate all requesting youth sports in the area. As a result, the district will not be able to approve all applications submitted for field use from youth athletic leagues/independent teams.

Need to Apply to CVRC/Collaboration with CVRC

As a result of this scarcity of available DMUSD ball fields, the Board encourages all Del Mar/Carmel Valley youth athletic leagues/independent teams to apply to the Carmel Valley Recreation Council for use of Carmel Valley ball fields. The Del Mar/Carmel Valley youth athletic leagues/independent teams that do NOT APPLY for Carmel Valley ball fields will NOT be eligible for DMUSD ball fields.

The Board encourages DMUSD staff to cooperate with the Carmel Valley Recreation Council as the District and CVRC consider field allocation applications. The Board encourages DMUSD staff to make final field allocation decisions (1) that align with the intent of this regulation, and (2) that benefit the overall youth of the community.

Application Priority

The DMUSD staff is instructed to provide TOP field allocation priority to those youth athletic leagues that have continuously used the DMUSD ball fields since 1992. This top priority extends from Monday through Saturdays, and excludes Sundays.

The second priority for field allocation will be youth athletic leagues that are affiliated with state/national youth organizations that have NOT been continuously using DMUSD ball fields since 1992. A majority of athletes in any youth athletic league must reside in the 92014 and 92130 zip codes. The second priority approval also extends from Monday through Saturdays.

The third priority for field allocation will be independent teams or leagues that are not affiliated with state/national youth organizations. A majority of athletes on the roster of the independent team or league must reside in the 92014 and 92130 zip codes.

DEL MAR UNION SCHOOL DISTRICT
USE OF SCHOOL FACILITIES
CHARGES FOR USE OF FACILITIES AND GROUNDS

Charges for the use of facilities and grounds shall be made in accordance with the following structure:

1. Fee Exempt

- a. Definition: No fee will be charged
- b. A fee shall not be charged when an alternative location is not available to those applicants who qualify as nonprofit organizations and/or clubs organized to promote youth and school activities, including, but not limited to:
 - (1) Girl Scouts, Boy Scouts, Camp Fire, Inc. etc.
 - (2) Parent-teachers' associations
 - (3) School-community advisory councils
 - (4) This section shall not apply to any group which uses school facilities or grounds for fund raising activities which are not beneficial to youth or public school activities of the district, as determined by the Board.

2. Direct Costs

- a. Definition: Those costs incurred for supplies, utilities, janitorial services, maintenance of sports fields for practice and games by youth sports teams, services of any other district employees, and salaries paid to school district employees necessitated by the organization's use of the school facilities and grounds of the district (see attached Fee Schedule).
- b. Activities which will be charged direct costs shall include activities which do not fall within the fee exempt or fair rental value classifications.

3. Fair Rental Value

- a. Definition: The direct costs to the district, plus the amortized costs of the school facilities or grounds used for the duration of the activity authorized (see attached Fee Schedule).
- b. Activities which will be charged fair rental value shall include:
 - (1) Fund-raising entertainment/meetings and activities where admission fees are charged, or contributions are solicited, and the net receipts are not expended for the welfare of the pupils of the district or for charitable purposes.
 - (2) Commercial use.

Board Policy/Admin. Reg./Exhibits 1330 (replaces B.P./A.R./E. 1000 approved Nov. 20, 2002)

1st Reading of B.P./A.R./E. 1330: November 16, 2005

2nd Reading and Approval by the Board of Trustees: December 14, 2005

DEL MAR UNION SCHOOL DISTRICT
USE OF SCHOOL FACILITIES

**PROPOSED MODIFICATIONS TO
FACILITIES USE FEE SCHEDULE**

	Direct Costs	Fair Rental Value
<u>1. Multipurpose Room</u>	\$50 / hour	\$100 / hour
<u>2. Classroom</u>	\$20 / hour	\$60.00 / hour
<u>3. Sport Fields</u> for Practice and Games by Youth Sports Teams	\$5.00 / hour	\$35.00 / hour (\$280 / day)

EQUIPMENT AND CUSTODIAL SURCHARGES	COST PER MEETING
Overhead/Opaque Projector and Screen.....	\$25.00
LCD Projector and Screen.....	\$25.00
Sound System	\$100.00
Piano.....	\$25.00
Portable Sound System.....	\$50.00
Custodial Surcharge for Additional Time (per hour)..... (Current rate = \$34.52)	\$50.00

*Board Policy/Admin. Reg./Exhibits 1330 (replaces B.P./A.R./E. 1000 approved Nov. 20, 2002)
1st Reading of B.P./A.R./E. 1330: November 16, 2005
2nd Reading and Approval by the Board of Trustees: December 14, 2005*

Kurtis Swanberg 2007 Field Requests

CAMP REQUESTS:

Del Mar Heights School

January 2-5, 2007 (8am-3pm / 7 hours x \$35/hour = \$245/day x 4 days = \$980)
 April 9-13, 2007 (8am-3pm / 7 hours x \$35/hour = \$245/day x 5 days = \$1225)
 June 18-22, 2007 (9am-3pm / 6 hours x \$35/hour = \$210/day x 5 days = \$1050)
 June 25-29, 2007 (9am-3pm / 6 hours x \$35/hour = \$210/day x 5 days = \$1050)
 December 26-28, 2007 (9am-2pm / 5 hours x \$35/hour = \$175/day x 3 days = \$525)
 January 2-4, 2008 (DENIED due to field closure)

Del Mar Hills School

July 30-August 3, 2007 (9am-3pm / 6 hours x \$35/hour = \$210/day x 5 days = \$1050)
 August 6-10, 2007 (9am-3pm / 6 hours x \$35/hour = \$210/day x 5 days = \$1050)

PRACTICE FIELD REQUESTS - GRANTED:

Sycamore Ridge – used for 8-year-old team – 2 fields (Rate \$5/hour per field = \$10/hour)

January-May 31, 2007 (Sundays 12-3pm / 3 hours x \$10/hour = \$30/day)
 August 1-12, 2007 (Sundays 11-3pm / 4 hours x \$10/hour = \$40/day)
 August 27-December 31, 2007 (Sundays 11am-3pm / 4 hours x \$10/hour = \$40 day)

PRACTICE FIELD REQUESTS - DENIED:

Shores Field

August 27-December 31, 2007 (Saturdays 9am-1pm)

Del Mar Heights

August 27-December 31, 2007 (Sundays 2-5pm)

Facilities Fee Comparison 2007

	DEL MAR UNION SCHOOL DISTRICT	ENCINITAS UNION SCHOOL DISTRICT	SAN DIEGUITO SCHOOL DISTRICT	SOLANA BEACH SCHOOL DISTRICT	SAN DIEGO PARK & REC
Athletic Field Practice/Games	\$5/hour per field	Small Field \$5.50/hour Large Field \$8.75/hour	Direct Cost \$25/hour or \$100/day Commercial Use \$50/hr or \$300/day	No Fee for Little League & Rec Soccer (groups maintain fields)	No Fee
Athletic Field Camps/Tournaments	\$35/hour (\$280/day)	Same as above	Direct Cost \$40/hour or \$200/day Commercial Use \$75/hour or \$500/day (Varsity Baseball Field)	If there is a volunteer coach \$25/hour For-profit groups \$35/hour	\$9.75/hour or a minimum of 10% of the gross revenue (whichever is greater)
Multi-Use Room	No Fee for Non-profit groups during custodian's regular work shift (\$50/hour custodial surcharge during custodian off hours) \$50/hour Direct Cost \$100/hour Fair Market Value	No Rental Fee -- Charge for Custodial and Kitchen Staff as needed	Direct Cost \$50/hour Commercial Use \$150/hour	No Fee for Non-profit groups during custodian's regular work shift --- \$75/hour Direct Cost \$100/hour Fair Market Value	No Fee during regular operating hours
Custodial Surcharge	\$50/hour	\$15-\$30/hour	\$30/hour	\$35/hour	Varies

July 25, 2007

To: Board Members
From: Tom Bishop
Subject: Del Mar Heights Study Team – Safety

On June 27 the Board directed staff to lock the gate on the southern boundary at Del Mar Heights School until August 13 and to present more options regarding student/staff safety at Del Mar Heights School..

With the Board's approval, the Superintendent would like a team of Heights staff and parents to study safety issues at the Heights during the fall months, including the gate on the southern boundary. The superintendent wants the study team to assess safety issues during the instructional day (8:00 a.m. – 2:30 p.m.) and during non-instructional time (before and after school, and weekends). The superintendent will be asking the team to identify particular safety issues/concerns and to develop different options that can improve each safety issue/concern.

It is anticipated the Del Mar Heights principal, Wendy Wardlow, will chair this study team and that Del Mar Heights PTA, Del Mar Heights Site Council members and Del Mar Heights staff will be asked by Wendy Wardlow to serve on this one-time study team. The superintendent will also be directing Randy Wheaton to attend the meetings to provide technical advice to the study team.

The superintendent will direct Mrs. Wardlow to complete the study team process by December 1, 2007.

July 17, 2007

To: Board Members
 From: Trish Snider
 Through: Tom Bishop
 Subject: Summer Enrollment 2007

Enrollment is taking place at the District Office from July 2, 2007 through August 2, 2007 from 9:00 AM until 12:00 noon or by appointment. As of July 17, 2007, the district office staff has processed the following new enrollment registrations:

This information will be updated on August 29.

Grade	Ashley Falls	Carmel Del Mar	DM Heights	DM Hills	Ocean Air	Sage Canyon	Sycamore Ridge	Torrey Hills	Total by grade
K	1	0	1	0	0	2	1	2	7
1ST	0	1	0	0	0	1	0	1	3
2ND	2	0	0	0	0	0	0	4	6
3RD	0	0	0	0	0	2	1	3	6
4TH	1	0	1	0	0	1	0	2	5
5TH	1	1	0	0	0	2	1	0	5
6TH	2	0	0	0	0	0	2	0	4
TOTAL	7	2	2	0	0	8	5	12	36

Total All Sites

Recommended: For Information Only

8.4