

**7/11 DISTRICT ADVISORY COMMITTEE
PURSUANT TO EDUCATION CODE SECTION 17387**

Regular Meeting Minutes
Monday, August 3, 2009



Ashley Falls School
13030 Ashley Falls Drive, San Diego, CA 92130

Organizational Items

Call to Order – *Time:* 3:13 p.m.

Present: Gayle Wayne, Facilitator, Jennifer Emberger, Janet Handzel, Susan Paul, Cinda Peck, Bob Shopes, Randy Wheaton, and Shirley Bales, administrative assistant, were present. Member Wayne Harris attended in absentia and phone in for a teleconference.

Also in attendance: Dr. Sharon McClain, Superintendent, Rodger Smith, retired Director of Human Resources/Facilities, Susan Fitzpatrick, Del Mar Hills Principal, Bill Porter, Nancy Swanberg, Eric Beinke, Dina Irwin, Patricia Gold, Andrea Peddycord, Michelle Beeson were present as well as community members Jim Jones, Beth Westburg, David Vaughn, Marybeth Norgren, Elizabeth Prag, Kris Pike, Myra Paiz, Kristina Worl, Sheri Ascencio, Rich Laurie, Darlene Klugherz, Kim McCoy, Mary Jo Wayland, Noah Katsel, Annie Cheng, Michele Macosky, Dan Picker, Maryanne Bell, Melanie Caruisino, Susan Miller, Felice McGrath, Audrey Levine, Miroslav Krstic, Stephanie Smith, Christine Mazone, Trisha Vandillan, Pam Kyle, Kari Ann Aiken, Molly Schneider, Tillie Grisco, Vanessa Black, Heidi Niehart, Rachel Luna Reese, Cheryl Goodman, Jennifer Fry, John Fry, Kerry Traylor, Jackie Remick, Andrea Szulik, Heather Walker, Karen Yamanishi, Alan Yan, Michelle Bernard, Mary Chapin, Linda Crawford, Martha Cox, Mary Farrell, Sharon McKinnon, Jerone Pierce, Tamra Atwood, Eileen Kushner, Kimberly Langborg, Katie Clapp, Greg Sieman, Laurie Sage, Deborah Muns-Park, Douglas Rafner, Stephanie Schiff, Arlene Dutcheck, Cindy Edgerly, Santana Keipert, Shannell Pierce, Michelle Yurceh, and Ed Rodriquez.

Flag Salute—Led by Shirley Bales

Approval of the Agenda

Upon motion by Susan Paul, seconded by Cinda Peck, the Agenda was approved unanimously.

Approval of the Minutes –

Upon motion by Susan Paul, seconded by Jennifer Emberger, the minutes of the Regular Meeting of July 23, 2009, were approved unanimously as amended.

Public Comment

Call for public comment

1. Marybeth Norgren, 13964 Boquita Drive, Del Mar, CA 92014, Del Mar Heights parent, recommended the committee look at all options besides completely closing a school, requested that no single school be asked to bear the burden, asked if DMUSD has a legal opinion on the use of Mello Roos schools, and requested evening meetings.
2. Miroslav Krstic, 5088 Seachase Street, San Diego, CA 92130, Ashley Falls parent, spoke to the committee about budget cuts also at UCSD, questioned enrollment projections, and recommended parents chip in to cover the cost of any savings that might be realized from closing a school.
3. Douglas Rafner, 4978 Almondwood Way, San Diego, CA 92130, Ashley Falls parent, formally requested that the committee move public comments to the end of the Agenda, and recommended the committee look deeply into the Mello Roos issues.
4. Beth Westburg, 1439 Oribia Road, Del Mar, CA 92014, questioned the accuracy of information on space requirements and preschool given to the committee, and asked if these had been approved by the Board of Trustees. She further recommended that preschool be taken off the table.
5. Wendy Santino-Ramseyer, 13246 Lockett Court, San Diego, CA 92130, Ashley Falls parent involved in a legal committee to look at some issues, requested the committee do a full legal background research into what Mello Roos fees can be used for and requested all CFD information be made available to the public in a central location.
6. Melanie Carmosino, 12547 El Camino Real, San Diego, CA 92130, recommended the committee to look at every single option without closing a school, questioned the space requirements for district administrative offices, and questioned how Mello Roos plays into this.

Public Communication

Call for public communication—there was none.

Old and New Business, Presentations

Review of responses to Q and A, with notice of Mello Roos issues

Facilitator Gayle Wayne informed the audience that she has compiled answers to many questions raised at the committee meeting on July 23. A Question and Answer document is posted on the 7/11 page of the DMUSD website.

Mrs. Wayne spoke that since 1984 Mello Roos taxes exist in newer constructions so that needed facilities are provided to the community by a community facility district. If a taxpayer has paid

Mello Roos for 10 years and the taxing authority continues for another 10 or 20 years, the issue of closing the funded facility comes into question from both legal and financing perspectives. At this time there is no existing case law to guide committee deliberations. Mrs. Wayne spent about one-half hour with legal counsel on this question. Legal counsel informed her that change on the use of a school built with Mello Roos taxes requires a very complex legal analysis, beyond the scope of that half-hour conversation. It is a complicated issue to close a school built with Mello Roos funding, and there is no clear-cut answer available to DMUSD at this time. Provisions within each CFD dictating the terms and conditions must be examined carefully, and answers to these issues probably would not fit into timeline given to the committee from the Board of Trustees. Counsel cannot provide written legal opinion on this issue without additional legal research.

Mrs. Wayne informed the audience that the 7/11 committee's role is to provide recommendations to the Board of Trustees, and the Board of Trustees would make any final decision. She clarified that no parents from either Sycamore Ridge or Ocean Air applied to be on this 7/11 Committee. Further, Decision Insight demographic organization has offered to make enrollment projections available to this committee on any area within DMUSD boundaries for further study.

New Proposals or Refinements of Prior Proposals by Members.

Mrs. Wayne spoke that one benefit of presenting "What If" scenarios is that the committee is able to sort out the different issues using a common study document.

Committee Chair Bob Shopes reminded the audience that he calculated the "What If" scenario for all 8 DMUSD schools, but only 4 schools appeared viable for further study -- Ashley Falls, Carmel Del Mar, Del Mar Heights and Del Mar Hills. His calculations indicate the district needs can be accommodated in surplus property currently available within DMUSD.

Mr. Shopes handed out one additional proposal, which was not to close any school, to leave all students at their present school, to look at surplus property within the district, and have district needs put within the existing surplus property at the schools. All students could stay at their current schools, with 10 classrooms at Ashley Falls for administrative offices, 3 rooms at Carmel Del Mar for administrative offices, 4 rooms at Del Mar Heights for employee child care, with technology and maintenance operations at Del Mar Hills, 8 rooms at Sycamore Ridge for preschool, and one room at Torrey Hills for preschool.

His positive findings related to this "What If" scenario are that traffic impacts are minimized, except at Del Mar Hills with maintenance trucks added. All students including special day classes and other special needs programs would stay where they are; no boundary changes are needed, and this plan could accommodate some intradistrict transfers.

The negatives to this scenario are the district administrative offices are split into two schools, Ashley Falls and Carmel Del Mar, and also this plan does not close a school, so no cost savings.

Mr. Shopes "What If" scenario also noted that Ocean Air is 90% full. Based on the modified capacity at Ocean Air of 712, with a projection for 2010-11 of 758, 46 students would need to go to Sage Canyon or Torrey Hills. Whether the district is closing or merging a school, the

projections show 46 students who could not attend Ocean Air, and this scenario assumed those students would go to the next closest school that was not impacted.

Committee members questioned access issues. Most DMUSD schools have fences built so there is one single access point to the school, and all visitors are directed to go through the school offices. If there are additional services at a school, this raises questions regarding how best to control access to administrative offices and preschools, and handle issues related to security, traffic flow, and safety of the students.

Chair Bob Shopes spoke about the extension at Ashley Falls which is completely separate from the main school building and may be able to accommodate a separate entrance for district offices or preschool.

Committee member Jennifer Emberger also presented a new “What If” proposal. All committee members have determined there is excess capacity in the district, and her proposal would move district administrative offices to Torrey Hills, move maintenance operations to Del Mar Hills, and employee child care and preschool to Ashley Falls. The rationale for those choices, according to her calculations, was that Ashley Falls and Torrey Hills have the greatest capacity. Del Mar Hills may be least complicated place for maintenance operations, hidden on the blacktop next to freeway. No boundary would need reconfiguring, no school need close. In 2010, her calculations showed that Torrey Hills is estimated to have 12 excess classrooms to absorb district offices, Ashley Falls would have 17 excess classrooms for preschool, and Del Mar Hills 4 excess classrooms for maintenance operations, although it is possible that a portable or two may be added at Del Mar Hills for maintenance.

Member Emberger’s “What If” looked at population projections for Torrey Hills, which looks to operate at about 75% capacity for about 10 years. Ocean Air on the other hand, based on Decision Insight, shows a slight population increase of 10% from 2009-2013 then a decline. Torrey Hills over a 10 year projection shows a slight decrease in enrollment.

Committee Members discussed space available at Torrey Hills, and the fact that Torrey Hills takes in additional students from Ocean Air since Sage Canyon is very near capacity. Torrey Hills has added one to two classes each year for the past two years. Today Torrey Hills has excess classrooms, but fewer than the 12 noted in the proposal, and further, the site uses 2 classrooms for special needs, and 4 classrooms for child care.

Committee Members discussed moving Preschool to two schools. The proposed preschool is not primarily for the purposes of profit, but for providing a very top notch program for our special needs preschool students. Special ed requires services for a psychologist, Occupational Therapy, Adaptive Physical Education, etc., which would be difficult to provide to students at two sites due to cost and space considerations. Also, to spread district offices to a number of schools would undermine the district’s ability to ensure a cost effective operation.

Other committee members agreed with that principle but also wondered about needing 22 classrooms and 300 paid students to accommodate this, and also believe that a full preschool right away is not a primary criteria of this committee.

Members also expressed concern about the fact that the operational costs are not addressed by the two “What If” scenarios just presented. DMUSD’s 2009-10 budget currently has available reserves of \$6M, with a possibility the district may be required to rebate \$2.5M to the state, coming dangerously close to a minimum 3% of \$1.2M. DMUSD could hit that minimum in one to two years. When DMUSD reserves hit \$1.2M, the state takes over the district and ESC programs will likely not survive. Some committee members see a need to act quickly to ensure DMUSD does not hit the \$1.2M reserve to trigger the state of California stepping in and taking over operations of the district.

Member Wayne Harris spoke about his previous “What If” scenario combining Del Mar Heights and Del Mar Hills, adding a portable or two at Del Mar Heights to avoid overcrowding students, or perhaps remove most or all portables and build a single story permanent structure (to replace portables on eastern edge of school) to create more square footage than the portables. The community may appreciate a new building paid for with some of the funds from the sale of the Shores Property, and the Board of Trustees may wish to consider a new structure at Del Mar Heights to offset closing Del Mar Hills. Randy Wheaton and Rodger Smith were not certain that structure could be accomplished within the timeframe necessary. Member Wayne said the Board might consider sending Del Mar Heights students to Ashley Falls for one year while the structure was built.

Consideration of preliminary consensus findings to be included in Progress Report to Board of Trustees scheduled for August 26, 2009

Committee members discussed a short document to present to the Board of Trustees on August 26. Facilitator Wayne heard a general agreement among members that there are four schools the committee is not considering, and all members agree there is excess capacity in the District.

Committee members discussed taking the closing of Ashley Falls off the list as it may be too complex an issue, but other members feel the committee needs a more thorough legal opinion. Members agreed the progress report should summarize all scenarios presented thus far, but also inform the Board that the committee is not pursuing any particular proposal(s) at this time.

Overall, there were 7 scenarios: 2 scenarios to close Hills, 2 reconfigure schools K-3 at one school 3-6 at another Carmel Del Mar/Ashley Falls and Del Mar Heights/Del Mar Hills, 2 scenarios don’t close any school and put District needs into excess space at existing schools, and one closes Ashley Falls, a Mello Roos-funded school that could be impacted by legal opinions.

Facilitator Wayne requested members with similar proposals get together to come up with a single proposal, figuring out which variation works best, to strengthen the proposal and eliminate excess proposals. When refining areas, Mrs. Wayne suggested members look at pros of what works well, areas it does not work well, and weight those against the defined criteria.

Facilitator Gayle Wayne, in order to meet the Board deadline will commence preparing a document detailing:

- History of the committee
- Processes agreed upon

Review of Charter

Paragraph explaining each proposal (with a limited explanation of pros and cons of each proposal)

Next Steps

Mrs. Wayne will also request feedback/clarification from the Board if preschool is a Board priority, as well as Board feedback on desired district administrative space needs, minimum size district office and minimum size preschool, and if there is a financial imperative for the committee to consider.

Other topics/questions from Previous Meeting

None.

Information Items

None.

Upon motion by Bob Shopes, seconded by Susan Paul, the committee unanimously voted to adjourn at 5:00 p.m.

Adjourn: – *Time:* 5:00 p.m.