

District Advisory Committee
Final Report
on
Findings and Recommendations

Emma Hood Swim Complex at Alameda High
School

(2201 Encinal Avenue, Alameda California 94501)

Presented to the Board of Education on

September 10, 2019

District Advisory Committee Final Report on Findings and Recommendations

Executive Summary

On October 24, 2017, the Board of Education of the Alameda Unified School District ("District") approved the formation of a District Advisory Committee ("Committee") and authorized then-Superintendent Sean McPhetridge to convene such a committee to fulfill the requirements of California Education Code sections 17387-17391.

The following community members were approved by the Governing Board and agreed to serve on the Committee:

Christine Chilcott (Chair)
Bill Sonneman
Helen Sause
Kelly Scott
Brian McGuire
Lisa Goodwin
Allison Leshefsky
Brent Saldaña
Daniel Chin
Martha Silver
Ron Matthews

These members represented a cross section of the community and met the requirements stated in California Education Code sections 17387-17391. In accordance with the California Education Code, the Committee was charged with the following duties:

- a. Review pertinent information to determine the locations, size, condition and current use of real property owned by the district. Review master facilities plan if one exists.
- b. Establish a priority list of possible uses for the district's real property that will be acceptable to the community and develop recommendations about the property.
- c. Circulate throughout the attendance area the priority list of property use and provide for a public hearing for community input to the Committee regarding the acceptable uses for district property.
- d. Forward a report to the District Board of Trustees recommending uses of surplus property.

The Committee met on June 19, 2019 and August 14, 2019 and held public hearings on these days in order to obtain input from the community. Minutes from the public hearing are attached as **Exhibit A**.

During the Committee meetings, enrollment information and current and possible future uses of property were discussed, reviewed and evaluated. Based upon the information presented to the Committee, the following findings and recommendations are presented to the Board of Education.

Committee's Findings:

1. The Alameda Unified School District has and will have for the near future, sufficient and suitable classroom space and real property within the District.
2. The Committee found that the Emma Hood Pool Facility located at 2201 Encinal Avenue, Alameda California 94501 ("Pool Facility") cannot be used for student purposes without making cost-prohibitive upgrades to the facility. The Committee found that there are no immediate alternative school district needs for the Pool Facility.
3. The Committee found that the condition of the Pool Facility is generally poor due to its age and overall design. In 2010, the Alameda Health Department ("AHD") issued a Notice of Closure due to public safety and code violation concerns. Absent immediate plans to modernize the facility, the AHD will not permit the facility for its intended purpose.
4. The Committee further found that several aspects of the current pool layout and design do not meet regulation specifications for various aquatic activities, including competitive swimming, water polo and diving. Therefore, a substantial redesign of the facility is needed.
5. Based on the Committee's review of this information, and after studying all of the real property owned by the District, the Committee came to the conclusion and recommendations set forth below.

Committee's Recommendations:

1. The Emma Hood Pool Facility located at 2201 Encinal Avenue, Alameda California 94501 should be considered surplus to the educational needs of the District. (See Exhibit B – Boundaries of Surplus Property.)
2. The Committee recommends the Pool Facility be leased to another entity willing to develop a new aquatic facility in its place which complies with all applicable codes and regulations. Prior to the lease of the site, the District should create a suitable plan to ensure students continue to have access to and use of any aquatic facility developed on the site.

We, the members of the Committee, appreciate the opportunity to serve the Board of Education in this important activity. We hope this report will assist the Board of Education with its decisions regarding the Alameda Unified School District.



[SIGNATURE OF THE CHAIR]

ATTACHMENTS:

Exhibit A – Minutes from Public Hearing

Exhibit B – Boundaries of Surplus Property (Emma Hood Pool Facility located at 2201 Encinal Avenue, Alameda California 94501)

EXHIBIT A

District Advisory Committee
June 19, 2019
Niel Tam Educational Center
Ballena Conference Room
2060 Challenger Drive
Alameda, CA 94501

A. Call to Order: The meeting was called to order at 6:34 p.m.

Present: Christine Chilcott, Kelly Scott, Brian McGuire, Martha Silver

Shariq Khan, CBO; Dani Krueger, Executive Assistant, Seth Eckstein,
Legal Representative Fagen Friedman & Fulfrost

Absent: Helen Sause, Bill Sonneman, Allison Leshefsky, Ron Matthews, Brent
Saldana, Daniel Chin, Lisa Goodwin

A-1 Welcome and Introductions: Chair Chilcott welcomed all committee members and staff members to the meeting of the District Advisory Committee. Committee and staff members introduced themselves. Seth Eckstein, attorney with Fagen Friedman & Fulfrost (FFF), introduced himself to the group. The District has contracted with FFF for legal services in the absence of a General Counsel.

A-2 Adoption of Agenda

Motion to adopt the meeting agenda for June 19, 2019.

Motion: Member: Silver Seconded: Member Scott

A-3 Approval of Minutes from October 24, 2018 meeting

Unable to approve due to lack of quorum. Approval moved to next meeting.

B. General Business

B-1 Emma Hood Swim Complex (Shariq Khan, CBO)

CBO Shariq Khan gave the committee a detailed presentation on current facility issues at the Emma Hood Swim Complex located at Alameda High School. The pool is approximately 60 years old and has a history of safety and code violations from the Alameda Health Department. In early 2019, Alameda Environmental Health issued a Notice of Health Concerns. They communicated that the pool would have to be closed unless short-term fixes were made and a long-term replacement plan was submitted.

EXHIBIT A

In response, the Board of Education and the City Council created an ad-hoc committee to discuss various issues and report to both agencies. The consensus from these committee meetings is to build a new facility. Committee narrowed down potential location options to the current Emma Hood location and Thompson Field as a second choice.

City representatives have shared that the project would be funded by the City. Sites identified as potential locations are owned by the District and would require an agreement between the City and the District. The law provides an exemption to the general restrictions on public land use so school districts may sell or lease "recreational real property" to another government entity. The Legislature recognizes – as is the case here – that such property can fall into such disrepair as to be unusable, and other government entities may have an interest in maintaining the property for the benefit of the surrounding community. The District believes the pool facility plainly qualifies as recreational and could be sold or leased under this statute, since it is a space by which the community may enjoy swimming and other leisurely activities.

The role of the District Advisory Committee is to recommend answers for up to two questions for each property:

1. Is the property needed for current or projected future student use?
2. If not, what is/are the priority use(s) of the property?

Answers will be set out in a committee advisory report that must be adopted by a majority of the committee to be presented to the Board of Education.

B-3 Next meeting

The next scheduled meeting will be scheduled in the near future in order to compile the committee report. Staff will draft the report and bring to the committee for edits as necessary. A doodle poll will be sent to the committee to schedule the next meeting for the second or third weekend of August.

C. Adjournment

Chair Chilcott adjourned the meeting at 7:56 pm.

District Advisory Committee
August 14, 2019
Niel Tam Educational Center
Ballena Conference Room
2060 Challenger Drive
Alameda, CA 94501

A. Call to Order: The meeting was called to order at 6:32 p.m.

Present: Christine Chilcott, Kelly Scott, Brian McGuire, Martha Silver, Ron Matthews,, Brent Saldana, Daniel Chin, Lisa Goodwin

Shariq Khan, CBO; Dani Krueger, Executive Assistant, Seth Eckstein,
Legal Representative Fagen Friedman & Fulfrost

Absent: Helen Sause, Bill Sonneman, Allison Leshefsky

A-1 Welcome and Introductions: Chair Chilcott welcomed all committee members and staff members to the meeting of the District Advisory Committee. Committee and staff members introduced themselves. Seth Eckstein, attorney with Fagen Friedman & Fulfrost (FFF), introduced himself to the group. The District has contracted with FFF for legal services in the absence of a General Counsel.

A-2 Adoption of Agenda

Motion to adopt the meeting agenda for August 14, 2019 with one edit to date of minutes for approval to item A-3

Motion: Member: Matthews Seconded: Member Scott

A-3 Approval of Minutes from October 24, 2018 and June 19, 2019 meeting

Motion to adopt meeting minutes from October 24, 2018 as presented.

Motion: Member McGuire Seconded: Member Silver

AYES: 7 (Member Goodwin not yet arrived)

NOES: 0

ABSTAIN: 0

Motion Carried

Motion to adopt meeting minutes from June 19, 2019 as presented.

Motion: Member McGuire Seconded: Member Scott

AYES: 4

NOES: 0

ABSTAIN: 3 –Members Matthews, Chin and Saldana not in attendance for meeting, member Goodwin not yet arrived)

Motion Carried

B. General Business

B-1 Committee Recommendation to Board – Emma Hood Swim Center (Alameda High School)

On June 19, CBO Shariq Khan gave the committee a detailed presentation on current facility issues at the Emma Hood Swim Complex located at Alameda High School. The pool is approximately 60 years old and has a history of safety and code violations from the Alameda Health Department. In early 2019, Alameda Environmental Health issued a Notice of Health Concerns. They communicated that the pool would have to be closed unless short-term fixes were made and a long-term replacement plan was submitted.

In response, the Board of Education and the City Council created an ad-hoc committee to discuss various issues and report to both agencies. The consensus from these committee meetings is to build a new facility. Committee narrowed down potential location options to the current Emma Hood location and Thompson Field as a second choice.

City representatives have shared that the project would be funded by the City. Sites identified as potential locations are owned by the District and would require an agreement between the City and the District. The law provides an exemption to the general restrictions on public land use so school districts may sell or lease "recreational real property" to another government entity. The Legislature recognizes – as is the case here – that such property can fall into such disrepair as to be unusable, and other government entities may have an interest in maintaining the property for the benefit of the surrounding community. The District believes the pool facility plainly qualifies as recreational and could be sold or leased under this statute, since it is a space by which the community may enjoy swimming and other leisurely activities.

The role of the District Advisory Committee is to recommend answers for up to two questions for each property:

3. Is the property needed for current or projected future student use?
4. If not, what is/are the priority use(s) of the property?

Staff drafted the Recommendation to the Board based off feedback in the June meeting where members expressed their belief that the property was not needed for current or projected future student use as well as a preference in leasing the Emma Hood site to another government entity as allowable by state law. Committee members reviewed the draft report and minor changes were made to language. This report will be presented to the Board of Education at its August 27, 2019 meeting. Staff and committee engaged in extensive discussion before calling for a motion to approve the Committee Recommendation to the Board.

Motion to approve the Committee Recommendation to the Board of Education

Motion: Member McGuire

Seconded: Member Matthews

AYES: 8

NOES: 0

ABSTAIN: 0

Motion Carried

B-3 Next meeting

Member Sause has resigned from the committee. Staff informed current committee members to please reach out directly if they are wanting to resign their positions so that if necessary the District can advertise for open positions at one time.

No committee meeting planned for the immediate future. Staff will communicate to the committee as necessary and continue to utilize Doodle polling to schedule the next meeting.

C. Adjournment

Chair Chilcott adjourned the meeting at 7:09 pm.

EXHIBIT B

Boundaries of Surplus Property (Emma Hood Pool Facility located at 2201 Encinal Avenue, Alameda California 94501)

