

OCEAN VIEW SCHOOL DISTRICT
Huntington Beach, CA 92647

APPROVED

DISTRICT ADVISORY COMMITTEE (7-11 COMMITTEE)

Thursday, May 2, 2024
6:00 p.m.
District Board Room

Minutes

1.0 Pledge of Allegiance / Welcome / Introduction / Roll Call (Establishment of Quorum)

Stephen McLoughlin, the District's Attorney from Atkinson, Andelson, Loyo, Ruud & Romo, (AALRR) called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Stephen. In attendance were Scott Chambers, Alana Cooper, Katie Cox, Stephanie Green, Casey Harelson, Steve Letcher, Jason McEwen, Keeley Pratt, Ellen Riley, and Tanysia Sanchez. Darian Radac was unable to attend.

Representing the District were Keith Farrow, Assistant Superintendent, Administrative Services; Stephen McLoughlin, Legal representative to the District; and Cindy Pulfer, Administrative Assistant, Administrative Services. The Board of Trustees' Clerk Gina Clayton-Tarvin, and Dr. Michael Conroy, Superintendent attended for a brief time to share their appreciation to the Committee for their time and getting involved on this important Committee.

Stephen McLoughlin introduced himself as the District's attorney and shared he will help the group go through information and make sure the Committee follows the law. He chaired the meeting and then he will attend future meetings as a guide.

Keith Farrow thanked everyone for their participation and shared some housekeeping items.

The Committee members introduced themselves and shared their interest in the District.

Cindy Pulfer will be the notetaker. The recording of this meeting will be posted to the District's website, as will the meeting agendas and minutes.

Establishment of a Quorum: With 11 members on the Committee, a quorum is 6 and there was a quorum for the May 2, 2024, meeting.

2.0 Public Comments

There were no public comments.

3.0 Election of Chairperson

Stephanie Green volunteered to Chair the committee. Katie Cox volunteered to be the Co-Chair. Nominated by Scott Chambers and Seconded by Tanysia Sanchez, the Committee unanimously approved Stephanie Green as the Chairperson. Nominated by Keeley Pratt and Seconded by Jason McEwen, the Committee unanimously approved Katie Cox as Co-Chairperson.

At this time Stephen shared a binder with all members that shared specific information regarding the remaining items on the agenda. The Committee members were encouraged to read the information in the binder at their leisure, but they walked through the items for some general requirements to follow. After reading through the information, there will be time for the members to ask questions at the next meeting.

4.0 Overview of Role of Committee Members

It is a requirement of the Education Code that the assessment of properties is required by forming an Advisory Committee (commonly called the 7-11 Committee – not less than 7 and not more than 11 members). The Board has tasked the Committee to review each property and submit a final recommendation to the Board.

The options for the Committee's recommendation for each property can consist of one of more of the following: 1) keep as is and maintain, 2) sell, 3) lease, and/or 4) exchange. These options are only recommendations, and no decisions are made by this Committee. The Committee can go into as much detail as they think is needed in the final report to the Board. The list of recommendations is then published to the community, a public hearing is held for the public to make specific comments, these comments are taken into consideration before the final report is written. Some examples of the options were shared.

Question: Will this Committee have a discussion on every property, even some that have already been considered surplus by a previous committee?

Answer: Yes, all properties are considered.

Question: Can we give each a different rating?

Answer: Each property will have a separate rating. It's the consensus of the Committee – majority rule for each property. Not committing the District to anything. If one person wants to write a personal opinion about a property, they can ask that it is submitted in the final report.

Question: How many Board members are there

Answer: 5. The Board's action is to accept the report. They may or may not take any action. The Chairperson of the Committee attends the meeting and shares the report. After it has been accepted by the Board, the 7-11 Committee's job is complete.

Question: Can the Committee recommend 2 or more options for a site?

Answer: Usually it is one of the four, but if the Committee wants to send a strong message, i.e., sell Property A, the other three would not be recommended. Or can give an option and make a priority vote. The Committee can put anything in the report. The report is not binding on the District, and the Board can ignore the recommendations.

Question: When we are talking about property, the fields and adjacent parks are also included?

Answer: Anything that the District owns – not just the buildings, but the land as well.

Question: Parks?

Answer: The District owns some of the adjacent parks and the City of Huntington Beach owns some. The City maintains the parks. District staff will share the list of the parks adjacent to the properties.

Question: Can the Committee see information about each site?

Answer: Toward the end of the meeting, requests can be made as to what information the Committee would like to see. Staff will find the information and present it to the Committee.

Question: Is this meeting being recorded live on the website?

Answer: The District will put all meeting materials, to include agenda, minutes, materials requested on the District website. All Committee members are now considered to be an “Officer of the District” and need to be careful about communications in violation of the Brown Act. Refer all community members to the website and encourage them to come to the meetings.

Question: Does that pertain to the press? A couple of the members, once announced, were questioned by the press about an article that appeared after the Board meeting.

Answer: Refer all inquiries to AALRR or to Stephen McLoughlin and he will contact the press. AALRR has a team to handle this type of response. Again, encourage the community to come to the meetings.

5.0 Overview of Open Public Meeting Requirements Under the Brown Act

This document was provided to the Committee. The Brown Act requires that all meetings be open, public, and transparent. All discussions happen in an open meeting, which cannot happen unless publicly noticed. The quorum of the 7-11 Committee has six members. Stephen talked about serial communications amongst the members, communicating with each other and creating a chain of communication. Another encouragement for the public to come in person to the meetings. The public can email (District staff creating an email) and have their comment or question read into the record.

6.0 Overview of Conflict of Interest

Stephen discussed the Conflict-of-Interest Law: Real Property handout provided to the Committee members. If a Committee member owns a piece of property that may be financially affected by an act of the Committee, the Political Reform Act may require that the Committee take steps to ensure its decisions are not influenced by the Advisory Committee member in question. Stephen asked that each speak to him regarding any conflict of interest as this is an important, but private topic. Form 700 – Statement of Economic Interests was provided to each Committee member to be completed and returned by the next Committee meeting. A newer version of the form will need to be provided.

7.0 Overview of Surplus Property Process

Stephen discussed the surplus property process (Tab 3 in the binder) as explained in the handout provided to the Committee (Summary of Surplus Property Procedures). The Committee will take each property under consideration (all 26) and assess the global need, taking the wholistic approach to be clear about each site’s operation.

Question: What happens to the proceeds if the District sells a property?

Answer: Deposited in a specific Capital Improvements fund that may benefit other properties. There is a limit on how the money can be used, some exceptions, but this wouldn’t concern the Committee.

Question: Does the sale or lease go to the same fund?

Answer: The law says sale proceeds go to Capital Improvements or other property related uses unless the District opts out of State Funding. The law is not clear on leasing, but it is interpreted that the State would use the District to that account. Regardless, it is beyond the scope of this Committee.

Question: Is there a Senate Bill in California, expiring soon, that provides a waiver to move the proceeds to the General Fund? Stephen will look into this and share with the Committee. The District may need to give up their right to any hardship funding for a period of time.

Question: Some subject to the Naylor Act?

Answer: The Naylor Act is for preservation of recreational and open space property and may need to be offered to certain entities at a bargain price. The law has specific requirements regarding surplus property. If selling, it must be announced to the world, awarded to the highest bidder, and they can use the property for whatever they want – not matter what. The District could ask for a waiver at the State, the State is obligated to grant that waiver, and then the District can go through the Request for Proposal (RFP) process, and then can add some control about what they would like for that property use, i.e., commercial use, public park, etc. This benefits the community, and the property doesn't need to be awarded to the highest bidder.

Question: Surplus Lands Act – Affordable housing.

Answer: A huge issue in California. Must alert the State, Housing and Development, give them a 90-day opportunity to negotiate solely with them. The State throws their hat in the ring first and takes precedence. The Naylor Act involves property committed to maintaining an open space. Example given: Seaview in Huntington Beach/Huntington Valley. Comment: City of Huntington Beach looking for land to drill water wells.

Question: Can the Committee tour each site?

Answer: Yes. Also, the Committee may choose to hold their meeting at that location. It's the hope that the District will provide enough information so not all sites would need to have a walk through.

8.0 Discussion of Properties

A list of the 26 properties that will be reviewed in subsequent meetings was provided in the binder.

Comments: Most school sites are in the middle of housing tracts. There's a different makeup of housing surrounding the schools. Leads to the point – once the District sells, the use is out of the District's hands. It's possible to put a request in the RFP. Doesn't fit within the zoning.

Individual Committee members may add a personal comment regarding a use and can ask that it be provided in the report to the Board.

"Spoiler Alert" – AALRR offers a template and a list of what's required as a report. The Committee can write the report as a group or assign it to a Subcommittee. Their notes would be reviewed as a Committee for a final report.

Question: Time Constraints? How long should the Committee take to write the report?

Answer: The District is excited to see this report.

9.0 Discussion of Meeting Dates and Topics

The next meeting will be run by the Chairperson, Stephanie Green.

Question: Who generates the agendas?

Answer: District staff will work with the Chairperson and AALRR to generate the agenda, based on requested information by the Committee.

Scheduling: It's important to have a quorum.

Question: How many meetings are anticipated?

Answer: The last Committee in 2015 held 8 meetings. Stephen has seen this task completed in four meetings.

Question: How often will meetings be held?

Answer: Recommended weekly

Question: Length of meetings?

Answer: Recommended not to set limitations. Can always motion to adjourn.

Question: Is there an incentive to complete this process before the Senate Bill expires at the end of July?

Answer: Stephen will investigate the expiration of the Senate Bill.

For the next meetings, possibly alternate Wednesdays and Thursdays. District staff to check Open House dates.

Next meeting date: Wednesday, May 8th, 7:00 p.m.

Cindy P. to check out Doodle and submit dates for Committee members to help with scheduling.

Question: Should there be a limit to how long Committee members can talk?

Question: What is the format for reviewing the properties? One at a time?

Agenda/Information Requests by the Committee:

- History of properties
- Enrollment
- Agreements with community, i.e., field use
- Modernization list (what schools were modernized? Is there any Measure R money left?)
- Leases for properties
- Current conditions of each property
- Need for capital improvements
- A financial presentation – state of the District
- Details behind the move of the District Office

- Board Subcommittee – members of this Committee don't want to be influenced by outspoken Board members
- Committee's communication is the Final Report
- Review the last 7-11 Committee's Final Report

There is no need to talk about every item at the next meeting. Items can be tabled for future meetings. Items cannot be added to the agenda once the agenda has been set/published.

10.0 Discussion of Public Contact Information for Committee Members

Staff will research providing an email address for the community to use for questions, comments, concerns.

Any comments, questions, concerns from the members can be directed to Stephen McLoughlin. He provided his contact information.

11.0 Comments from Committee Members

No further comments.

12.0 Public Comments

None.

13.0 Adjournment

Homework: Reading materials and Form 700

The meeting was adjourned at 7:56 p.m. with a motion to adjourn by Katie Cox and a second motion by Alana Cooper.