

CARDIFF SCHOOL DISTRICT
1888 Montgomery Avenue
Cardiff-by-the-Sea, CA 92007

NOTICE OF SPECIAL MEETING

Written notice is hereby given in accordance with Education Code Section 35144, Government Code 54956, and other applicable law, that the following Special Meeting of the Board of Trustees of the Cardiff School District will be held on:

DATE: Tuesday, October 22, 2019

TIME: 5:00 p.m.

PLACE: Ada Harris School, Library
1508 Windsor Road
Cardiff-by-the-Sea, CA 92007

The business to be transacted at the meeting shall be limited to the following:

I. ORGANIZATIONAL ITEMS

Exhibit

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
 - Ms. Siena Randall, President
 - Mr. David Ross, Clerk
 - Ms. Nancy Orr, Member
 - Mr. Dave Clark, Member
 - Mr. Mark Whitehouse, Member
 - Ms. Jill Vinson, Superintendent
- D. Approval of agenda for October 22, 2019

II. Public Comments – *In accordance with the Brown Act, special meeting public comments are limited to item(s) on the published agenda. Unless placed on the published agenda, no discussion or action may be taken by the Board of Trustees.*

III. GENERAL FUNCTIONS

- A. Approve Resolution Number 19-20-03: A Resolution Of The Cardiff School District Board Of Trustees Regarding Public Access To School Facilities **A**

IV. ANNOUNCEMENT: ADJOURNING TO CLOSED SESSION

- A. Conference with Legal Counsel – existing litigation pursuant to paragraph (2) subdivision (d) of Section 54956.9
Save the Park and Build the School v. Cardiff School District
Case #37-2019-00012880-CU-WM-NC

V. ADJOURNMENT OF MEETING

Cardiff School District
Cardiff-By-The-Sea, California 92007

October 22, 2019

ITEM: **RESOLUTION NUMBER 19-20-03: A RESOLUTION OF THE
CARDIFF SCHOOL DISTRICT BOARD OF TRUSTEES RE
PUBLIC ACCESS TO SCHOOL FACILITIES**

BACKGROUND

As the Board is aware, the District is currently undertaking the modernization and reconstruction of Cardiff Elementary School ("Project") which includes substantial improvements and upgrades to the existing playfields, playground apparatus and other areas of the site which the District makes available for public recreation use when not needed for school purposes (collectively, the "Playfields"). The Board is also aware of the District's ongoing communications with the California Department of Parks and Recreation Office of Grants and Local Services ("OGALS"), and the City of Encinitas regarding the impacts of the 1993 State of California, Department of Parks and Recreation, Project Agreement under the Land and Water Conservation Fund Program ("Agreement"), on the Project. Since discovery of the existence of the Agreement, the District has been in regular communication with OGALS to resolve the conversion/boundary adjustment issues associated with the Project and the Playfields as they relate to the original terms of the Agreement and the District's responsibility and authority to operate and maintain the Project site as an operational school site. As part of this conversion/boundary adjustment process, which is ongoing, the District has had telephone conference calls as well as in person meetings to review and revise the District's existing proposal for resolving the conversion/boundary adjustment issue. Through this process OGALS has recognized the District's educational requirements and requested that the District clarify the hours the Playfields will be available for public recreation. Accordingly, the purpose of Resolution number 19-20-03 is to set forth the District's policy regarding the hours of availability for future public use of the Playfields when not needed for school purposes.

RECOMMENDATION

It is respectfully recommended that the Board approve Resolution Number 19-20-03.

Exhibit A

CARDIFF SCHOOL DISTRICT
RESOLUTION NUMBER 19-20-03
A Resolution of the Cardiff School District
Board of Trustees Regarding Public Access to School Facilities

WHEREAS, the Cardiff School District (“District”) is a public school district organized and existing under the laws of the State of California; and

WHEREAS, the District is currently undertaking the modernization and reconstruction of Cardiff Elementary School located at 1888 Montgomery Avenue in Cardiff-By-The-Sea, CA (“Project”) which consists of the demolition and reconstruction of classroom buildings; modernization of two existing buildings; a new multi-purpose room, improvements to onsite passenger parking and loading; relocation of play structures; and replacement of the existing baseball field with two natural turf soccer fields as further described in the Final Environmental Impact Report (“Final EIR”) for the Project approved by the District on February 7, 2019. ; and

WHEREAS, the Final EIR also described and depicted the District’s ongoing communications with the California Department of Parks and Recreation Office of Grants and Local Services (“OGALS”), and the City of Encinitas (“City”) regarding the impacts of the State of California, Department of Parks and Recreation, Project Agreement under the Land and Water Conservation Fund (“LWCF”) Program (“Agreement”), dated September 7, 1993, on the Project; and

WHEREAS, since discovery of the existence of the Agreement, the District has been in regular communication with OGALS, including telephone conference calls and in person meetings coordinating and revising the District’s existing proposal to resolve the conversion/boundary adjustment issues associated with the Project as they relate to the original terms of the Agreement and the District’s responsibility and authority to operate and maintain the Project site as an operational school site; and

WHEREAS, as a result of these numerous discussions and meetings, OGALS recognizes that the Project site in its entirety has been, is, and will remain an active school site wholly owned by the District and that the District’s boundary adjustment/conversion proposal as outlined in the Final EIR must recognize the educational requirements of the District’s students; and,

WHEREAS, in order to complete the processing of the District’s boundary adjustment/conversion proposal, the District understands OGALS has requested the District’s Board of Trustees adopt a resolution further describing its intentions for making the playfields and certain other designated areas of the Project site described in the Final EIR, , including, but not limited to a community garden, (collectively, the “Playfields”) available for public recreational use; and

WHEREAS, the District intends this resolution to set forth its policy regarding the hours of availability for future public use of the Playfields when not needed for school purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Cardiff School District as follows:

SECTION 1. Incorporation of Recitals. The Board hereby FINDS and DETERMINES that the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution as though fully set forth herein.

SECTION 2. Public Use. When not needed for school purposes, the Cardiff School District will maintain and keep open the Playfields for public use in substantially the configuration set forth in the boundary adjustment/conversion proposal described in the Final EIR. General school use of the entire Project site shall typically be Mondays through Fridays from 8AM to 3PM in accordance with the District's annual instructional calendar. General public use of the Playfields shall be after school hours on instructional days and all day on non-instructional days. However, the District shall retain the right to close the Project site and/or Playfields as necessary for school purposes in the Board's discretion. Designated portions of the Project site, including the Playfields shall also remain available for reserved public/community group use pursuant to the Civic Center Act (Education Code § 38130 et seq.)

SECTION 3. Hours of Availability/Signage. The District shall keep a record of the hours of public use availability, as well as District use and Civic Center Act use of the Project Site and Playfields to be updated monthly or at such other times specified by the Board. Such record of public use hours will be made available to OGALS and the public upon request. The District shall also provide appropriate signage consistent with this Resolution and hours of availability on the Playfields.

SECTION 4. Board Authority. This Resolution is not intended to restrict any future school board from making educational use and programming decisions for the District, as such bodies may see fit. Such future school boards shall retain and reserve all rights and remedies relative to such educational use and programming.

SECTION 5. Effective Date. This Resolution takes effect upon approval.

PASSED, APPROVED AND ADOPTED this 22nd day of October, 2019, at a Special Meeting of the Board of Trustees of the Cardiff School District, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____

Attest:

Secretary

President