

TO: Board of Education
FROM: Constance Hubbard
SUBJECT: Supplemental Memorandum on Relocation Options for 2009-2010

Introduction

This memorandum is intended to provide an overview of the four options currently under consideration for the temporary relocation of Havens and a portion of PHS for the 2009-2010 academic year.

Under the plans developed under Measure E, it is imperative that the District have interim housing for both Havens and a portion of PHS starting in August 2009. In order to guarantee the availability of this interim housing, the School Board must make a decision on how to proceed no later than January 27.

Please note that one of the options presented here would delay PHS construction for at least one year. Also, none of these options address the relocation of Wildwood or Beach in 2010-2012 as provided in the Measure E program timeline. Relocation plans for Wildwood and Beach will be determined in the future when the availability of State funding for those projects is confirmed.

As the January 27 deadline approaches, and as School District staff continues to investigate the relocation options and obtain more specific information about the practical, legal and financial aspects of each, I am providing this supplemental memorandum to maximize the information available to both the School Board and the public in advance of the January 14 meeting.

I look forward to discussing this with the School Board and addressing the public's questions and concerns at the January 14 meeting.

Summary

▪ Sites that have been considered and rejected

To date, the District has considered a range of options for the relocation of Havens and PHS, including but not limited to Blair Park, Dracena Park, Witter Field and Hampton Field. All but four of these site plans have been rejected because they failed to meet one or more essential criteria: Student safety; adherence to critical Measure E timelines; and legally-required approval by State and local agencies. A list of the site plans that the District has studied *and rejected*, and an explanation for the rejection, is included in *Attachment A*.

▪ Sites Under Active Consideration

The four site plans that remain under consideration are discussed below. Please note that three of these plans (Options A, B and C) *guarantee* the availability of interim housing for Havens in August 2009, provided that the City agrees to use of the Vista courts. As discussed below, Option D (which would split Havens between the Wildwood blacktop/batting cages and the Beach tennis courts) differs from the other three options in that, under CEQA, neighbors near both of these schools would have a legal right to challenge and delay implementation of this plan. Due to the possibility of a legal

challenge and related matters beyond the District's control, Option D does not guarantee interim housing for Havens for the start of the 2009-2010 school year.

▪ **Emeryville Crime Statistics**

Some parents have expressed concern about crime in the area surrounding the proposed site under Option A. Danielle Hilton, a Havens parent and a prosecutor for the Alameda County District Attorney's Office for the past 12 years, has provided the School District with detailed information about crime in Emeryville, including information about sexual assault cases and crimes against children. All of this information is included in Attachment B. In addition, District staff has confirmed with the Emeryville police that there is no gang activity in Emeryville.

▪ **Steps Required to Assemble Temporary School Sites in Piedmont**

Some parents have inquired about the steps and timeline for developing temporary school sites under Options B, C and D. This information is summarized in Attachment C.

▪ **Emergency Response Time in Emeryville**

Some parents have inquired about emergency response times in Emeryville. The Emeryville fire chief has provided information on this issue and it is included in Attachment D.

Discussion

Option A: Emeryville/Havens

Under Option A, Havens would relocate to an existing, vacant school site at 61st and Doyle Streets in Emeryville, and PHS would relocate to the Havens portables, for the 2009-2010 academic year.

- Guarantees school site ready for August 2009.
 - All required approvals in place.
 - Not subject to CEQA procedures that could prevent or delay site readiness.
 - This is an existing school site and Option A would not increase the capacity or change the function of the site, so CEQA would not apply.
 - Moving PHS students from the main campus to Havens would not change the use or capacity of Havens, so CEQA would not apply.
 - No variables beyond PUSD control.
- Compliance with Measure E timelines and budget parameters.
 - Estimated total cost for 2009-2012 is \$3 million, including building lease, transportation and campus security. Actual costs to be negotiated.
 - No additional costs would be incurred due to delay of Measure E timeline.
- Safety considerations.

- Option A minimizes exposure of elementary school children to construction and the associated environmental hazards (such as particulate pollution) and security concerns (arising from an active construction site with many individuals coming and going). Although PHS students would use Havens portables during construction, these are older children who are less vulnerable to safety issues and who would be on site only one or two hours per day rather than a full school day.
 - Some parents have expressed concern about crime in Emeryville. (Please refer to Attachment C for statistical information about crime in Emeryville.) Concerns about crime may be mitigated with added security on site, including a campus supervisor at the entrance throughout the school day, and closely supervised bussing to and from the site.
 - Some parents have expressed concern about what might happen in the event of an earthquake or other public emergency. Concerns about an emergency may be mitigated with the development of emergency plans and procedures.
 - Some parents have expressed concern about seismic safety of the Emeryville site. District consultants have reviewed existing information, toured the site and believe it is seismically safe.
 - Some parents have expressed concern about the safety of bus transportation. To mitigate these concerns, District staff would investigate safest routes and safest vehicles. In addition, the District staff is reviewing bus safety data provided by Board member Rick Rauschenbusch.
- Quality of educational program.
 - Keeps Havens community together during construction.
 - Havens teachers reported that they prefer this option.
 - Maximizes use of Havens staff time, specialists and other educational resources.
 - Minimizes noise pollution and other possible disruptions associated with construction.
 - Provides adequate physical space for play and recreation.
 - Some parents expressed concern about whether and how staggered reading would work at a “remote” campus served by busses. To mitigate these concerns, District staff would study school schedules to accommodate and best serve student needs and promote the quality of the educational program.
- Proximity to Piedmont.
 - Emeryville site is approximately five miles from Piedmont.
 - Some parents expressed concern about students’ travel time to and from the Emeryville site and the negative impact on before-school and after-school activities.
 - Some parents expressed strong preference for children to be closer to home.
 - Potential inconvenience for parents and volunteers.
 - Potential concerns over the availability and safety of parking on site for parents and volunteers.
 - The District will study options for keeping all kindergarten classes in Piedmont at Wildwood and Beach, to determine whether there is

adequate capacity and whether it would promote the quality of the educational program.

- Measure E program flexibility.
 - Maximizes flexibility for 2010 – 2012.
 - Although all funding for the Havens and PHS projects is in hand, the State budget crisis *may* jeopardize State funding for the other Measure E projects (Wildwood and Beach). *If* State funding is withdrawn for those projects, Option A minimizes losses because it allows for a one-year lease of the Emeryville site, and avoids the installation of portables and related utilities that could become useless after a year.
 - Option A allows for the possibility of using Blair Park, Beach tennis courts/blacktop or Vista tennis courts for the relocation of Wildwood and Beach in 2010 – 2012.
- Shares the burden across community.
 - Does not unduly burden one school or neighborhood community.

Option B: Havens-Vista/Wildwood

Under Option B, Havens would be split between the current site and the Vista tennis courts, and PHS would use portables at the Wildwood blacktop/batting cages for the 2009-2010 academic year.

- Guarantees school site ready for August 2009, provided the City Council agrees to use of the Vista tennis courts.
 - Requires approval by the City Council because the City owns the Vista tennis courts. The City currently allows PUSD to use the courts during the school day for recreation but there is no formal agreement between the City and PUSD concerning installation of portables.
 - Not subject to CEQA review.
 - Under CEQA, the Vista courts are technically an “existing school site” by virtue of the agreement between PUSD and the City that permits use of the courts for school programs. For this reason, splitting Havens between the current site and the Vista courts does not implicate CEQA because there is no change in use or capacity of Havens.
 - Moving PHS students from the main campus to Wildwood would not increase the capacity of Wildwood by 25% or more, or increase the number of classrooms by 10 or more. Under CEQA, as PHS students are already at the Wildwood site, there would be no change in the use or capacity of the site, so the relocation would be exempt from CEQA.
 - In addition to City Council approval for use of the Vista courts, there may be other variables beyond PUSD control concerning the timely installation of portables. Any delay in deciding on a relocation plan jeopardizes the ability to conduct the legally-required competitive bidding process and other necessary steps to assemble temporary school sites.
- Compliance with Measure E timelines and budget parameters.
 - Estimated total cost for 2009-2010 is \$2.9 million.

- Installation of portables at Vista and restoration of Vista following removal: \$1.4 million.
 - Installation of portables at Wildwood and restoration of blacktop following removal: \$1.5 million.
 - Does not incur additional costs due to delay of Measure E timeline.
- Safety considerations.
 - Exposes elementary school children to construction and the associated environmental hazards (such as particulate pollution) and security concerns (arising from a construction site with many individuals coming and going). Young children (who are more vulnerable to particulate pollution than older children and adults) would be on the site for all or nearly all of the school day. To mitigate these issues, the District would implement established procedures that are used in other districts to manage construction at an elementary school site.
 - Avoids the concerns raised by some parents about crime in Emeryville.
 - Avoids the concerns raised by some parents about the potential difficulty of getting to Emeryville in the event of an earthquake or other public emergency.
 - Avoids the concerns raised by some parents about the safety of bus transportation to Emeryville.
- Quality of educational program.
 - Keeps Havens community nearly together during construction.
 - Of the “split” options, Option B maximizes use of Havens staff time, specialists and other educational resources.
 - Potential for noise pollution and other disruptions associated with construction.
 - Provides minimal physical space for play and recreation.
- All students to remain in Piedmont.
 - Keeps children closer to home.
 - Avoids the concerns raised about students’ travel time to and from the Emeryville site.
 - Avoids the concerns over the availability and safety of parking in Emeryville.
 - Minimizes impact on parents and volunteers.
- Provides Measure E program flexibility.
 - Flexibility for 2010 – 2012.
 - Option B allows for the possibility of using Blair Park for the relocation of Wildwood and Beach in 2010 – 2012.
- Shares the burden across community.
 - Does not unduly burden one school or neighborhood community.
 - Loss of community tennis courts for approximately 15–18 months.
 - Because PHS students would use the portables for an hour or two each day, and would walk to and from Wildwood from the main campus, this option minimizes the impact on traffic and congestion in the Wildwood neighborhood.

Option C: Havens-Wildwood/Delay PHS

Under Option C, Havens would be split between the current site and the Wildwood blacktop/batting cages during the 2009-2010 academic year. Construction projects at PHS would be delayed to 2010-2011, when PHS would relocate to portables at the Wildwood blacktop/batting cages.

- Guarantees school site ready for August 2009.
 - Requires approval by City Council to continue use of the Vista tennis courts for play and recreation.
 - Not subject to CEQA review.
 - Installing 10 portables at Wildwood would not increase the capacity of Wildwood by 25% or more, or increase the number of *classrooms* by 10 or more. Under CEQA, there would be no change in the capacity of Wildwood, so the relocation would be exempt from CEQA.
 - As in Option B (and D), there may be variables beyond PUSD control concerning the timely installation of portables. Any delay in deciding on a relocation plan jeopardizes the ability to conduct the legally-required competitive bidding process and other necessary steps to assemble temporary school sites.

- Departure from Measure E timelines and budget parameters.
 - Exposes PHS students to an additional year in vulnerable buildings.
 - Incurs additional costs due to delay of Measure E timeline. For purposes of estimating costs, PUSD assumes a 7% increase in project costs per year of delay.
 - Estimated cost in 2009-2010 is \$1.5 million for installation of portables at Wildwood.

- Safety considerations.
 - Similar to Option B, Option C would expose elementary school children to construction and the associated environmental hazards (such as particulate pollution) and security concerns (arising from a construction site with many individuals coming and going). Young children (who are more vulnerable to particulate pollution than older children and adults) would be on the site for all or nearly all of the school day. To mitigate these issues, the District would implement established procedures that are used in other districts to manage construction at an elementary school site.
 - Avoids the concerns raised by some parents about crime in Emeryville.
 - Avoids the concerns raised by some parents about the potential difficulty of getting to Emeryville in the event of an earthquake or other public emergency.

- Avoids the concerns raised by some parents about the safety of bus transportation to Emeryville.
- Quality of educational program.
 - Splits Havens community during construction.
 - Potential negative impact on Havens staff time, specialists and other educational resources.
 - Potential for noise pollution and other disruptions associated with construction.
 - Provides some physical space for play and recreation. The Havens site would continue to use the Vista tennis courts for recreation. The Wildwood site would share recreation space with Wildwood.
- All students to remain in Piedmont.
 - Avoids the concerns raised by some parents about students' travel time to and from the Emeryville site.
 - Avoids the concerns raised by some parents over the availability and safety of parking in Emeryville.
 - Minimizes inconvenience for parents and volunteers.
- Measure E program flexibility.
 - Flexibility for 2010 – 2012.
 - Option C allows for the possibility of using Blair Park, Beach tennis courts/blacktop or Vista tennis courts for the relocation of Wildwood and Beach in 2010 – 2012.
- Shares the burden across community.
 - Does not unduly burden one school or neighborhood community.
 - Increase in traffic and congestion in the Wildwood neighborhood. The District would study how best to mitigate these issues.

Option D: Wildwood-Beach/Havens

Under Option D, Havens would be split between the Wildwood blacktop/batting cages and Beach tennis courts and PHS would use Havens portables for the 2009-2010 academic year.

- Does NOT guarantee school site ready for August 2009.
 - All required approvals in place.
 - Subject to CEQA review.
 - Installing portables at Beach would increase the capacity of Beach by 25% or more, triggering the application of CEQA. Because of the increase in capacity at Beach, the increase in capacity at Wildwood (although less than 25%) would also become subject to challenge under CEQA. Because of the potential for a challenge under CEQA and the related variables beyond PUSD control, Option D does not guarantee a school site for August 2009.
- Compliance with Measure E timelines and budget parameters.
 - Total relocation expenses estimated to be \$3.3 million over three years.
 - May incur additional costs due to delay of Measure E timeline.

- Safety considerations.
 - Minimizes exposure of elementary school children to construction and the associated environmental hazards (such as particulate pollution) and security concerns (arising from a construction site with many individuals coming and going). Although PHS students would use Havens portables during construction, these are older children (who are less vulnerable to particulate pollution) who would be on site only one or two hours per day rather than a full school day.
 - Avoids the concerns raised by some parents about crime in Emeryville.
 - Avoids the concerns raised by some parents about the potential difficulty of getting to Emeryville in the event of an earthquake or other public emergency.
 - Avoids the concerns raised by some parents about the safety of bus transportation to Emeryville.

- Quality of educational program.
 - Splits Havens community during construction.
 - Potential negative impact on Havens staff time, specialists and other educational resources.
 - Potential for noise pollution and other disruptions associated with construction.
 - Provides some physical space for play and recreation.

- All students to remain in Piedmont.
 - Avoids the concerns raised about students' travel time to and from the Emeryville site.
 - Avoids the concerns over the availability and safety of parking in Emeryville.
 - Minimizes inconvenience for parents and volunteers.

- Measure E program flexibility.
 - Flexibility for 2010 – 2012.
 - Option D allows for the possibility of using Blair Park for the relocation of Wildwood and Beach in 2010 – 2012.

- Shares the burden across community.
 - Does not unduly burden one school or neighborhood community.
 - Increases traffic and congestion in the Wildwood and Beach neighborhoods.
 - Loss of tennis courts to the community for at least one year.

Attachment A

Possible Temporary Sites:	Meets Construction Timeline	Provides Physical Viability	Accom. Academic Programs	CEQA	Neighborhood Disruption	Safety/Traffic	Community Program Disruption
Dracena Park		T/F ADA DSA					
Reservoirs		T/F ADA DSA					
Bonita (b/t Vista & Oakland)		F					
Bonita (b/t Vista & Magnolia)		T ADA					
Magnolia		T ADA					
Interior PHS		T/F					
Witter: All Baseball		F (?)					
→ Softball		F (?)	½				
→ Baseball/ WW			½				
Beach Field		City DSA?					
Blair Park		City CEQA DSA					
Hampton Field		Flood Risk					
Coaches Field		F (?)					
Double Decker Portables		ADA Require Purchase					

Construction Timeline	Assumes: <ul style="list-style-type: none"> - Havens/High School 6/09-8/10 - WW – 8/10 – 8/11 - Beach – 8/11 – 8/12
T	Terrain (e.g., flat, accessible space)
F	Fire (i.e., access for fire equipment)
ADA	Americans with Disabilities Act (i.e., is in compliance with ADA)
DSA	Division of State Architect
	Meets criteria
	Is questionable if criteria is met
	Does not meet criteria

Attachment B

2008 Crime	PIEDMONT	EMERYVILLE				
		District 1**	District 2***	Total Districts 1&2	Total ALL 11 Districts in Emeryville	% of Emeryville Crime in Dist. 1 & 2
Motor Vehicle Theft	44	9	14	23	193	12%
Burglary	52	13	6	19	95	20%
Larceny (Theft)	143	11	32	43	430	10%
Robbery	4	4	8	12	79	15%
Assault	1	6	2	8	69	12%
Rape	0	0	0	0	1	0%
Murder****	0	1	0	1	1	100%
TOTAL	244	44	62	106	868	12%

** Note: December 2008 Emeryville statistics not available yet and not included in above analysis*

***Note: District 1 is the District where Anna Yates Elementary School is located in Emeryville*

****Note: District 2 is the District adjacent to the district where Anna Yates Elementary School is located*

*****Note: The murder committed in District 1 in April, 2008 was committed inside a residence and involved adults*

Sources:

Piedmont Police Department, Unified Crime Report 2008

Emeryville Police Department, (Monthly/By District) Crime Analysis Case Summary, 2008

Felony Sex Crimes Against Children (12 yrs & younger) Charged in 2008 for Alameda County		
Breakout by City in Alameda County	Number	%
ACSO (Alameda County Sherriffs Office)	9	12%
Alameda	3	4%
Albany	2	3%
Berkeley	3	4%
Dublin	5	7%
Emeryville	0	0%
Fremont	10	14%
Hayward	13	18%
San Leandro	6	8%
Livermore	2	3%
Oakland	16	22%
Piedmont	0	0%
Pleasanton	1	1%
Newark	1	1%
Union City	2	3%
Other (not Emeryville)	1	1%
TOTAL	74	100%

Felony Sex Crimes Against Children (12 yrs & younger) Charged in 2008 for Alameda County (NONE IN EMERYVILLE)		
Breakout by Child's Relationship with Defendant	Number	%
Family Member	37	50%
Person in child's home	7	9%
Familiar Person from the neighborhood	4	5%
Affiliated with School Activity	3	4%
Dating	4	5%
Other familiar relationship	16	22%
Stranger	2	3%
Internet	1	1%
TOTAL	74	100%
Definitions:		
Family Member: father, stepfather, brother, grandfather, uncle, etc.		
Person in child's home: renter, boarder, etc.		
Familiar Person From Neighborhood: neighbor, etc.		
Person Affiliated with School Activity: coach, tutor, Sunday School teacher, tennis pro		
Other familiar relationship: parent of friend, etc.		

ALL Sex Crimes in Emeryville Charged in 2008	
	Number
Felony Crime	1
- 16 yr old runaway from Sacramento	
Misdemeanor Crime	2
- 21 yr old woman groped	
- "Adult" woman groped in bar at 2:00am	
TOTAL (including adults)	3
TOTAL (involving children under the age of 12)	0

Attachment C

Steps Required to Assemble Temporary School Sites in Piedmont

Some parents have inquired about the steps for developing temporary school sites under Options B, C and D. This information is briefly summarized below. Specific information concerning the timeline and costs associated with each of these steps is not yet available but the District will provide this information as soon as it is determined.

- Competitive bidding process.
 - Issue Request for Proposals.
 - Evaluate proposals and select qualified bidder.
 - Negotiate and approve contract.
 - Reserve portables.
- Architectural design and creation of construction documents (6 weeks)
- Engineering and soils studies for site preparation. (3 weeks)
- Submittal and approval from the Division of the State Architect (6–10 weeks)
- Site preparation. (8 weeks)
 - Install power (and back-up generators, if necessary).
 - Install water and sewer utilities.
- Install portables. (4 weeks)
- Install fire alarms and fire safety systems. (4 weeks)
- Install technology infrastructure.

Attachment D

Emergency Response Time in Emeryville

Some parents have inquired about emergency response times in Emeryville. The Emeryville fire chief has provided the following information:

From: Stephen Cutright
Sent: Thursday, December 18, 2008 4:50 PM
To: Joe Frantz

Subject: Data requests

Joe:

The estimated Fire Department response time from Fire Station #2 at 6303 Hollis Street to the Hawley Site at 1275 -61st Street is as follows:

911 Call to Dispatch of Fire Department	30 seconds
Dispatch time to Exiting the Fire Station	60 seconds
Response Time enroute	90 seconds
TOTAL REFLEX TIME:	3 Minutes

This is the maximum time I would expect to occur.

Stephen L. Cutright

Chief, Emeryville Fire Department