
Agenda Item #3



LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Report Number:	202-08/09
Date:	January 27, 2009
Subject:	Valley Region Span K-8 No. 2
Responsible Staff:	
Name	Yi Hwa Kim, Interim Director
Office/Division	Office of Environmental Health & Safety
Telephone No.	(213) 241-3199

A. EXECUTIVE SUMMARY

Action Proposed: Board of Education review and make a determination on proposed Resolution (attached) that would certify the Final Environmental Impact Report (EIR), adopt the Findings of Fact, a Mitigation Monitoring and Reporting Plan, and a Statement of Overriding Considerations prepared in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines.

Staff Recommendation and Rationale: Staff recommends that the Board review the Final EIR and make a determination on the attached Resolution. This action is required in order for the Board to consider proposed project approval as recommended in Facilities Service Division Board Report No. 203-08/09.

Background: The proposed Valley Region Span K-8 No. 2 project site is located in the Porter Ranch development in the community of Chatsworth, in the City of Los Angeles. The proposed project, as evaluated, will provide 1,290 new seats for students in grades kindergarten through eighth in 50 classrooms. The proposed project includes a library, a multi-purpose room, food services, health offices, playfields, gymnasium, and approximately 113 surface parking spaces for faculty and staff.

Note that the entire Valley Region Span K-8 No. 2 EIR, which includes the evaluation of a future Middle School addition, is being brought forth by OEHS for certification. As described in Board Report No. 203-08/09, Facilities Services Division is only requesting approval which will authorize staff to proceed with the site acquisition process and construction of 1,047 seats in grades kindergarten through eighth grade in 41 classrooms. The future MS addition of the proposed project may be considered for approval at a later date. Any updates to the CEQA analysis, if required, will be considered at that time.



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The proposed project is located in Local District 1 and Board District 3 (Galatzan).

- Policy Implications:** This action does not change District policy.
- Budget Impact:** The estimated costs for environmental assessment and proposed mitigation measures are included in the budget for the project.
- Issues/Considerations:** As described in the Final EIR, the proposed project would result in a significant and unavoidable traffic-related impact during school operation.
- Effect of “yes” vote:** A “yes” vote for certification of the Final EIR would enable the Board to approve the proposed project that will be submitted by the Facilities Services Division in Board Report No. 203-08/09.
- Effect of “no” vote:** A vote of “no” for the certification of the Final EIR would prevent the Board from approving the proposed project.



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B. BOARD REPORT

Action Proposed: The proposed Valley Region Span K-8 No. 2 project (proposed project) is located in the Porter Ranch development in the community of Chatsworth, in the City of Los Angeles. The proposed project site encompasses approximately 12.6 acres. The site is currently undeveloped and has been cleared and graded as part of the Porter Ranch development. The proposed project site is bound by Sesnon Boulevard to the north, Mason Avenue to the west and vacant land to the south and east which is owned by the Porter Ranch and planned for future residential development.

The proposed project consists of 121,594 square feet of development and will include 5 buildings. The proposed project, as evaluated in the EIR, will provide 1,290 new seats for students in grades kindergarten through eighth in 50 classrooms. The proposed project includes a library, a multi-purpose room, food services, health offices, playfields, gymnasium, and approximately 113 surface parking spaces for faculty and staff. The proposed project is currently planned to relieve overcrowding at Germain Elementary School, Castlebay Lane Elementary School, Frost Middle School, and Lawrence Middle School.

The Office of Environmental Health and Safety (OEHS) evaluated the proposed project in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. This evaluation, as documented in an Initial Study, resulted in the preparation of an Environmental Impact Report (EIR). As documented in the EIR and the attached Resolution, the proposed project would result in a significant traffic-related impact during school operation at the intersection of Rinaldi Street/Mason Avenue. A mitigation measure (implementation of a northbound right-turn overlap phasing at the intersection of Mason Avenue and Rinaldi Street) that would reduce potential impacts at this intersection to a less than significant level was identified in the EIR. However, implementation of the proposed mitigation measure is under the jurisdiction of the LADOT, and they stated that they do not have the resources to determine whether or not the proposed mitigation measure would be effective. Therefore, in an abundance of caution and because it is unlikely that the proposed mitigation measure will be implemented, this potential impact is significant and unavoidable.

Independent of the CEQA process, the Department of Toxic Substances Control (DTSC) approved the Phase I Environmental Site Assessment (ESA) on March 27, 2008 and determined that "No Further Action" is warranted with regards to environmental conditions at the proposed site.



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Staff proposes that the Board of Education, as “Lead Agency” for the proposed project, review and make a determination on the proposed Resolution to certify the Final EIR and to adopt Findings of Fact, a Mitigation Monitoring and Reporting Plan, and a Statement of Overriding Considerations pursuant to CEQA and State CEQA Guidelines. Subsequent to the certification of the EIR and approval of the Resolution, the Facilities Services Division will request the Board to approve the proposed project (Board Report No. 203-08/09).

Expected Outcomes: This action is required in order for the Board to consider proposed project approval.

Board Options and Consequences: A “yes” vote for certification of the Final EIR would enable the Board to approve the proposed project submitted by the Facilities Services Division in Board Report No. 203-08/09. A vote of “no” for the certification of the Final EIR would prevent the Board from approving the proposed project.

Policy Implications: There are no policy implications.

Budget Impact: The current estimated project budget for Valley Region Span K-8 No. 2 is \$77,074,713. Funding will be from both state and local bonds.

Note that, as described in the Facilities Services Division Board Report No. 203-08/09, the current estimated budget is for the construction and operation of 1,047 seats in grades kindergarten through eighth in 41 classrooms. Funding is currently not available for the future MS addition of the Proposed Project.

Issues and Analysis: The EIR and associated studies have been reviewed by legal staff and no significant issues were identified.

No legal issues

Legal informative attached

Committee Information: This item is on the agenda for the January 15, 2009 Facilities Committee Meeting.

Reporting Requirements and Benchmarks: Not applicable.



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Accountable Staff: Patrick Schanen, Deputy Director, OEHS
Randi Cooper, CEQA Manager, OEHS

Applicable Board Delegations: None.

Superintendent's Comments: None.

Miscellaneous Issues and Matters: See attached Site Environmental Review (SER).

Desegregation Impact Statement attached


Division of Accountability and Systemwide Performance

Informative

Sincerely,

RAMON C. CORTINES
Superintendent of Schools

APPROVED &
PRESENTED BY:



YI HWA KIM
Interim Director
Office of Environmental Health & Safety

APPROVED BY:

DR. JAMES MORRIS
Chief of Staff



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RESOLUTION OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, AND ADOPTING FINDINGS OF FACT, A MITIGATION MONITORING AND REPORTING PLAN, AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROPOSED VALLEY REGION SPAN K-8 NO. 2 PROJECT.

Whereas, the proposed project includes the development of the Valley Region Span K-8 No. 2 Project within Local District 1; is located in the community of Chatsworth, in the City of Los Angeles; is bound by Sesnon Boulevard to the north, Mason Avenue to the west and vacant land to the south and east of the site which is owned by the Porter Ranch development and planned for future residential development; consists of 121,594 square feet of development; will provide 50 classrooms in 5 buildings which will serve approximately 1,290 students in grades kindergarten through eighth; includes a library, a multi-purpose room, food services, health offices, playfields, gymnasium, and approximately 113 surface parking spaces for faculty and staff; and

Whereas, prior to approving the proposed project (State Clearinghouse Number 2008051101), the District is required to comply with the provisions of the California Environmental Quality Act (CEQA), Public Resources Code §21000, *et seq.*, and State CEQA Guidelines, Title 14 California Code of Regulations §15000 *et seq.*; and

Whereas, the District circulated for a 30-day public review period from May 23, 2008 through June 23, 2008, an Initial Study (IS)/Notice of Preparation (NOP) informing the public of the intent to prepare a Draft Environmental Impact Report (EIR); circulated a Draft EIR for a 45-day public review period from September 8, 2008 through October 22, 2008; and circulated the Final EIR for a 10-day agency review period beginning January 9, 2009; and

Whereas, the District published the NOP and a Notice of Availability (NOA) for the Draft EIR in the Los Angeles Daily News and held public meetings during the NOP and Draft EIR public comment periods; and

Whereas, in compliance with CEQA Guidelines, the District filed the NOP and NOA with the Los Angeles County Clerk, submitted copies of the IS/NOP and Draft EIR to the State Clearinghouse for distribution to potentially affected state agencies, and submitted copies of the NOP and NOA directly to State and local agencies, organizations, and interested parties known to the District; and

Whereas, the Final EIR determined that the proposed project would result in a significant and unavoidable impact related to traffic during school operation at the intersection of Rinaldi Street/Mason Avenue; and

Whereas, the Final EIR evaluated Alternatives to the proposed project including: No Project/No Development, Reasonably Foreseeable Development; one Reduced Project Alternative; and the No Project Alternative was identified as environmentally superior to the proposed project, resulting in fewer environmental impacts than the proposed project; but would not meet the objectives of the project; and CEQA Guidelines require that, if the No Project Alternative is determined to be the environmentally superior alternative, a superior alternative must be identified among the remaining alternatives; as such,



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the Reasonably Foreseeable Alternative would result in the fewest impacts while achieving most of the objectives of the proposed project; however, this alternative would not achieve the project objectives to the extent of the proposed project; and

Whereas, the project's benefits have been balanced against the project's significant unavoidable impact related to traffic during operation, the Board of Education finds that the project's benefits outweigh this impact, which is therefore considered acceptable; and

Whereas, pursuant to Education Code §17213.1(a) and Public Resources Code §21151.8(a), the District consulted with appropriate agencies and determined that: (A) the property in question is not the site of a current or former hazardous waste disposal site or solid waste disposal site; (B) the property is not a hazardous substance release site identified in a list of sites for which removal or remedial action is planned, compiled by the California Environmental Protection Agency pursuant to Health and Safety Code §25356; and (C) the property is not a site which contains one or more pipelines, situated underground or above ground, which carries hazardous substances, acutely hazardous materials, or hazardous wastes, unless the pipeline is a natural gas line which is used only to supply natural gas to that school or neighborhood; and (D) the property is not within 500 feet of a freeway; and

Whereas, pursuant to Education Code §17213(b) and Public Resources Code §21151.8(b), the District (A) consulted with administering agencies with jurisdiction over the proposed project for the purpose of investigating the potential for permitted and non-permitted hazardous or acutely hazardous air emissions within one-half mile of the project site; (B) performed a risk assessment in compliance with State and federal guidelines; and (C) determined that there are no facilities located within one-half mile of the proposed school site that would present a potential endangerment to the health of persons who will occupy the proposed school; and

Whereas, the District, pursuant to Education Code §17213.1 prepared a Phase I Environmental Site Assessment (ESA) for the proposed project site, and on March 27, 2008 the Department of Toxic Substances Control (DTSC) concurred with the findings of the Phase I ESA and with the District that no further action is warranted for the proposed project site; and

Whereas, the District Board of Education (Board) is a "Lead Agency" as defined in CEQA Guidelines, Title 14 of the California Code of Regulations §§15050-15053, and the Board reviewed and considered the Final EIR, its supporting documents, and comments received by affected governmental agencies and other interested persons; and now therefore be it

Resolved, that the Board finds that:

The District complied with Education Code §17213.1(a) and Public Resources Code §21151.8 with respect to the proposed school site; and

The project will not pose a significant health risk to students or staff due to potential risks such as air toxics or other chemical exposures, proximity to pipelines, railroad easements, cellular phone antennas or to overhead or underground powerlines; and

The project will not have an adverse effect on fish and wildlife, as referenced in Section 711.2 of the Fish and Game Code; and



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The presumption of adverse effect set forth in 14 California Code of Regulations §753.5(d) does not apply; and be it

Resolved further, that the Board hereby:

1. Finds that the Final EIR was completed in compliance with CEQA and State CEQA Guidelines, as amended; and
2. Finds that the Final EIR reflects the District's independent judgment and analysis; and
3. Finds that the mitigation measure identified in the Final EIR for impacts to traffic during school operation would reduce potential impacts at this intersection to a less than significant level; however, implementation of the proposed mitigation measure is under the jurisdiction of the LADOT, and they stated that they do not have the resources to determine whether or not the proposed mitigation measure would be effective; and therefore, this potential impact is significant and unavoidable; and
4. Finds that the mitigation measures identified in the Final EIR would avoid or substantially lessen all other environmental effects to levels below significance; and
5. Finds that the Board reviewed and considered the information in the Final EIR before making a decision to approve the project; and
6. Certifies the Final EIR; and
7. Adopts the Findings of Fact; and
8. Adopts the Mitigation Monitoring and Reporting Plan for mitigation measures identified in the Final EIR; and
9. Adopts the Statement of Overriding Considerations, indicating that the benefits of the proposed project outweigh the environmental effects; and be it

Resolved further, that the Board specifies that the record of proceedings on which the Board's decision is based is located at the Los Angeles Unified School District Office of Environmental Health and Safety, 1055 West 7th Street, 9th Floor, Los Angeles, California and the custodian of the record of proceedings is the Office of Environmental Health and Safety.

PASSED, APPROVED AND ADOPTED this 27th day of January 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jefferson Crain
Executive Officer of the Board of Education

Date



LOS ANGELES UNIFIED SCHOOL DISTRICT OEHS SITE REVIEW

Project: Valley Region Span K-8 No. 2

Site: Mason Avenue/Sesnon Boulevard, Porter Ranch Development, Community of Chatsworth, City of Los Angeles

Date: June 5, 2008 (Revised December 17, 2008)

Issuer: Office of Environmental Health and Safety

Contact: Pat Schanen, Deputy Director *EAM*

OEHS Determination: 100% of the necessary environmental studies have been completed. No environmental factors have been identified which would preclude the Site from school use.

Key Findings: A summary table of environmental health and safety factors identified at the Site is attached. Following are key findings:

- The proposed project would result in a significant and unavoidable impact related to traffic during operation at the intersection of Rinaldi Street/Mason Avenue.
- Potential geotechnical impacts related to differential settlement of soils onsite have been identified due to the significant quantities of soil required to level the Site.
- The DTSC determined that No Further Action is required with regards to environmental conditions at the site.

Site Description: The proposed Valley Region Span K-8 No. 2 (proposed project) is located in the Porter Ranch development in the community of Chatsworth, in the City of Los Angeles. The proposed project site encompasses approximately 12.6 acres. The Site is currently undeveloped and has been cleared of vegetation and graded as part of the Porter Ranch development project. The proposed project site is bound by Sesnon Boulevard to the north, Mason Avenue to the west and vacant land to the south and east of the Site which is owned by the Porter Ranch development and planned for future residential development.

Geohazard Assessment: The Geologic Seismic Hazard Report (GSHR), dated March 17, 2008, determined that the Site is not located in a California Earthquake Fault Zone; however, the Site lies within a City of Los Angeles Fault Rupture Study Area. A potentially active fault (the Devonshire Fault) was identified approximately 1,000 feet south of the proposed project site. According to the findings of the GSHR, proximity to this fault is not anticipated to pose a significant risk to people or structures on the proposed project site. Therefore, impacts would be less than significant.

The Site is underlain by steep topography which has been leveled out by cutting hillsides, and filling in valleys with compacted soils. The GSHR identified potential long-term differential settlement hazards onsite associated with the



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compacted soils. As documented in a Comprehensive Foundation Report dated September 12, 2008, design features have been incorporated into the project which will reduce these potential impacts to a level appropriate for school occupancy. These include re-grading of portions of the Site and/or restricted placement of buildings onsite.

The Site is not located in either a City of Los Angeles Methane or Methane Buffer zone, a liquefaction zone, a dam inundation zone, or a flood zone. The Site is located within a state Earthquake-Induced Landslide Zone; however no landslides have been identified at the site and final grading will minimize future landslide potential.

Pipeline Safety Hazard Assessment (PSHA):

The Final Phase I Environmental Site Assessment dated March 7, 2008, determined that the Site is not located within 1,500 feet of any high-pressure or natural gas pipelines.

Air Quality Health Risk Assessment (HRA):

The HRA, conducted in January 2008, identified no potential sources of toxic air emissions within one-half mile of the proposed project site. The HRA determined that carcinogenic and noncarcinogenic health risks are anticipated to be less than significant for both students and staff.

Electro-Magnetic Fields (EMF) Assessment:

No high voltage power lines greater than 50 kV have been identified within 350 feet of the Site. No cellular phone antennas have been identified within 200 feet of the Site.

Rail Safety Assessment (RSA):

No rail lines have been identified within 1,500 feet of the Site.

Traffic And Pedestrian Safety:

Traffic

Impacts related to increased traffic and circulation associated with school operation would contribute to a significant and unavoidable impact at the intersection of Rinaldi Street/Mason Avenue during operation.

As documented in the EIR, a mitigation measure requiring implementation of a northbound right-turn overlap phasing at the intersection of Mason Avenue and Rinaldi Street would reduce potential impacts at this intersection to a less than significant level. However, implementation of the proposed mitigation measure is under the jurisdiction of the LADOT and they stated that they do not have the resources to determine whether or not the proposed mitigation measure would be effective. Therefore, in an abundance of caution and because it is unlikely that the proposed mitigation measure will be implemented, this potential impact is significant and unavoidable.



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Pedestrian Safety

Due to additional pedestrian traffic during school operation potential impacts related to pedestrian safety are anticipated. Impacts would be mitigated to below levels of significance with the installation of signage, crosswalks, and a crossing guard safety study at various intersections.

Department Of Toxic Substances Control (DTSC) Site Assessment:

The Department of Toxic Substances Control (DTSC) approved the Phase I Environmental Site Assessment (ESA) for the proposed project site on March 27, 2008. The DTSC concurred with the Phase I ESA recommendation that no further action is warranted for the proposed project site.

California Environmental Quality Act (CEQA) Project Review:

A Draft EIR was prepared for the proposed Valley Region Span K-8 No. 2 project and circulated for public and agency review from September 8, 2008 through October 22, 2008. Based on comments received on the Draft EIR, the Final EIR concluded that the impact at the intersection of Mason Avenue/Rinaldi Street would be reduced to a less than significant level with mitigation. However, implementation of the proposed mitigation measure is under the jurisdiction of the LADOT and they stated that they do not have the resources to determine whether or not the proposed mitigation measure would be effective. Therefore, in an abundance of caution and because it is unlikely that the proposed mitigation measure will be implemented, this potential impact is significant and unavoidable. All other potentially significant impacts would be mitigated to levels below significance.

OEHS Site Comparison Matrix for VR Span K-8 No. 2

Factors	VR Span #2	VRHS #4	VRRES #7	VRRES #9	VRRES #8
Active Faults	●	●	●	●	●
Liquefaction/Landslide/Soil Stability	★	●	●	★	★
Inundation Hazard	●	●	●	●	●
Traffic Circulation	▼	▼	★	★	▼
Pedestrian Risk	★	★	★	★	▼
Derailment Hazard	●	●	●	●	●
High Power Lines	●	●	●	●	●
Cellular Phone Antennas	●	●	●	●	●
Air Emissions Risk	●	●	★	●	●
Accidental Chemical Release	●	●	●	●	●
Hazardous Material Pipelines/Tanks	●	●	●	●	●
Oil Wells (on-site)	●	●	●	●	●
Methane Migration	●	●	●	●	●
Soil Contamination	●	●	●	★	★
Groundwater Contamination	●	●	●	●	●
Asbestos / Lead	●	●	●	★	★
Historical Resources	●	●	●	●	▼
Biological Resources	●	●	●	●	●
Noise/Vibration	●	★	★	●	▼
Air Quality – Regional Impact	●	★	★	★	●
Air Quality – Localized Impact	●	▼	★	★	●

- = Risk/impact is less than significant
- ★ = Risk/impact is significant, but can be mitigated to below a level of significance
- ▼ = Risk/impact is significant, mitigation that would reduce risk/impact to a less-than-significant level may be infeasible
- = Factor requires further assessment



Site

Devonshire Fault

Office of Environmental Health and Safety
Site Environmental Review
Valley Region Span K-8 No. 2

North

1000 ft

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Report Number:	203-08/09
Date:	January 27, 2009
Subject:	Project Approval For Valley Region Span K-8 No. 2 And Authorization To Enter Into A Joint-use Agreement
Responsible Staff:	
Name	Joseph A. Mehula, Chief Facilities Executive
Office/Division	Facilities Services Division
Telephone No.	(213) 241-4811

A. EXECUTIVE SUMMARY

Action Proposed: Approval of the Valley Region Span K-8 No. 2 project which authorizes staff to proceed with the site acquisition process and construction of the project; and to authorize the Chief Facilities Executive or his designee to enter into a joint-use agreement for Valley Region Span K-8 No. 2.

Staff Recommendation and Rationale: Staff recommends that the Board of Education approve the Valley Region Span K-8 No. 2 project and authorize the Chief Facilities Executive or his designee to enter into a joint-use agreement for Valley Region Span K-8 No. 2.

The proposed Valley Region Span K-8 No. 2 project will provide educational facilities for students in kindergarten through eighth grade and consists of 41 classrooms providing 1,047 two-semester seats, a library, multi-purpose room, dining areas for students and staff, gymnasium, administrative offices, playfields and a surface parking area. The Valley Region Span K-8 No. 2 project is to relieve Castlebay and Germain Elementary Schools and Frost and Lawrence Middle Schools.

The proposed school is scheduled to be available for occupancy in the third quarter of 2012.

The proposed joint-use agreement will allow community use of portions of the planned project, in return for an \$836,000 capital contribution made by the Porter Ranch Development Company (PRD).

Background: The proposed project site is a vacant parcel located at 12450 Mason Avenue in the Porter Ranch area of the City of Los Angeles. The



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proposed project is bounded by Sesnon Boulevard to the north, Mason Avenue to the west and vacant land to the south and east. The site consists of approximately 12.8 acres and has historically been vacant, undeveloped land.

The Valley Region Span K-8 No. 2 project consists of 1,047 two-semester seats and will provide full-day kindergarten, elementary and middle school programs.

Construction of the school on this site does not require the acquisition of any single-family residences, multi-family residence or any commercial/industrial properties.

The District and PRD anticipate entering into a purchase and sale agreement (PSA), an easement agreement and a joint-use agreement.

Executive Agreement: Porter Ranch is a planned development and PRD has an interest in having a consistent aesthetic appearance throughout the development. As part of the conveyance of the project site to the District, PRD wanted the District to landscape that portion of the project site along Mason Avenue and Sesnon Boulevard and maintain said landscaping in a manner consistent with the aesthetic appearance of Porter Ranch. This would have added cost to the project and added maintenance costs to the school. Through negotiations, PRD has agreed to landscape and maintain a footwide strip of land along Mason Avenue and Sesnon Boulevard consistent with Porter Ranch landscaping plans. The initial cost of this landscaping will be paid by PRD. The District will have rights to approve the plants and landscaping materials used. The landscaping will be maintained by and at the cost of PRD or a homeowners or other community association created by PRD. The easement agreement is necessary to provide PRD and/or the homeowners or other community association with non-exclusive access to the landscape area and obligation to landscape and maintain the landscaping in a manner consistent with overall Porter Ranch planned development.

Joint-Use Agreement: PRD has agreed to contribute approximately \$836,000 towards project improvements in consideration of a joint-use agreement. The joint-use agreement will allow the reserved use of the multi-purpose room, library, gymnasium, and the sports fields after the conclusion of educational instruction, and during the weekends, scheduled breaks, and recognized holidays. Use of these facilities will be provided either through the issuance of permits pursuant to the Civic



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Center Act and through joint-use periods that are supervised and operated at the cost, responsibility and liability of the joint-user. The initial term of the joint-use agreement will not exceed ten (10) years. Any extension of term or new joint-use agreement in the future will be subject to Board of Education action.

This project is located in Local District 1 and Board District 3 (Tamar Galatzan).

Policy Implications: This action helps facilitate the Board-adopted New Construction Strategic Execution Plan.

Budget Impact: The project was included in the New Construction Two-Semester Neighborhood School Program Definition List adopted by the Board of Education on October 23, 2007. The current project budget for Valley Region Span K-8 No. 2 project is \$77,074,713. However, it is currently anticipated that costs may increase by the time the project is bid for construction. Funding will be from both state and local bonds. In addition, PRD will contribute approximately \$836,000 toward the project improvements in consideration for the proposed joint-use agreement.

Issues/Considerations: The Office of Environmental Health and Safety (OEHS) has simultaneously submitted Board Report No.202-08/09 that recommends that the Board of Education consider the Final Environmental Impact Report (EIR) and make a determination for the project pursuant to the California Environmental Quality Act (CEQA) and the state CEQA guidelines. Certification of the EIR must occur prior to approval of the project. As documented in the EIR, the proposed project would result in no short term significant adverse impacts that cannot be mitigated to less than significant levels. In addition, the EIR also concluded that the proposed project would not result in any cumulative significant impacts.

Independent of the CEQA process on March 27, 2008, the Department of Toxic Substances Control (DTSC), issued a No Further Action (NFA) Letter for the proposed project site.

Effect of "yes" vote: Approval of the project authorizes staff to proceed with the site acquisition process and construction of the project.

The grant of authorization will allow the Chief Facilities Executive or his designee to enter into a joint-use agreement. This will allow facilities of the project to be made available for community use through



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civic center permits and under the supervision, cost, responsibility and liability of the joint-user. If the District enters into a mutually agreeable joint-use agreement, PRD will contribute approximately \$836,000 towards project improvements.

Effect of “no” vote:

Failure to certify the EIR and approve the project will delay construction and postpone relief for Castlebay and Germain Elementary Schools and Frost and Lawrence Middle Schools. Failure to authorize the execution of a joint-use agreement will mean PRD will not contribute approximately \$836,000 towards project improvements and that facilities of the project will be limited to community use solely through civic center permits.



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B. BOARD REPORT

- Action Proposed:** Approval of the Valley Region Span K-8 No. 2 project which authorizes staff to proceed with the site acquisition process and construction of the project and to authorize the Chief Facilities Executive or his designee to enter into a joint-use agreement for Valley Region Span K-8 No. 2.
- Expected Outcomes:** The school is scheduled to be available for occupancy in the third quarter of 2012.
- Board Options and Consequences:** Project approval will allow the District to achieve the goal of providing two-semester neighborhood elementary school seats in this region of the District. Authorization to enter into a joint-use agreement for the project will result in the Porter Ranch Development Company making a capital contribution and maximize the opportunity of community use of the project.
- If the project is not approved, property acquisition and school construction cannot proceed. Delay of project approval would delay overcrowding relief for Castlebay and Germain Elementary Schools and Frost and Lawrence Middle Schools. If authorization to enter into a joint-use agreement is not granted, PRD will not contribute approximately \$836,000 towards project improvements.
- Policy Implications:** This action helps facilitate the Board-adopted New Construction Strategic Execution Plan.
- Budget Impact:** The project was included in the New Construction Two-Semester Neighborhood School Program Definition List adopted by the Board of Education on October 23, 2007. The current project budget for Valley Region Span K-8 No. 2 project is \$77,074,713. However, it is currently anticipated that costs may increase by the time the project is bid for construction. Funding will be from both state and local bonds. In addition, PRD will contribute approximately \$836,000 toward the project improvements in consideration for the proposed joint-use agreement.
- Issues and Analysis:** Property Description: The proposed project site is a vacant parcel located at 12450 Mason Avenue in the Porter Ranch area of the City of Los Angeles. The proposed project is bounded by Sesnon Boulevard to the north, Mason Avenue to the west and vacant land to the south and east. The site consists of approximately 12.8 acres and has historically been vacant, undeveloped land. The Board approved the preferred site designation on April 24, 2007.



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Community Outreach Process: Staff held two site selection community meetings between October 2006 and February 2007 prior to the Board designating the preferred site.

In addition to the site selection meetings, five additional community meetings were held to solicit community input and discuss environmental findings: one to gather input regarding the definition of the project, two for design development presentations and two to discuss the California Environmental Quality Act process and findings.

Alternatives Considered: In October 1991, the District and Porter Ranch Development (developer) entered into an agreement entitled "Providing for School Facilities and Clarifying Development Agreement" (Agreement) which was related to the developer's master plan of residential construction in the Porter Ranch area of the San Fernando Valley. The Agreement provided for the developer to deed to the District approximately seven acres of pre-selected land for a future elementary school. In addition, the Agreement provided an option to the District to acquire, at Fair Market Value, approximately 15 acres for a future middle school. The seven-acre elementary school site was to be provided to the District at no cost, other than reimbursement to the developer for 50 percent of the site-development cost.

District staff determined that the most efficient plan for providing needed seat relief for the area was to obtain a single site for a kindergarten through eighth grade school that could accommodate future middle school expansion. A new approximately, 12.8-acre vacant site will be provided for the proposed Span K-8 No. 2 project and the developer would no longer be required to provide the seven-acre elementary school site and the option on the 15-acre middle school site.

Environmental Analysis As documented in the Final Environmental Impact Report (EIR), the proposed project would result in no short term significant adverse impacts that cannot be mitigated to less than significant levels. In addition, the Final EIR also concluded that the proposed project would not result in any cumulative significant impacts.

Independent of the CEQA process on March 27, 2008, the Department of Toxic Substances Control (DTSC), issued a No Further Action (NFA) Letter for the proposed one project site.



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Demographic Data

SCHOOLS RELIEVED	SITE ACREAGE	2008-09 CALENDAR	2008-09 2- SEMESTER CAPACITY	2008-09 OPERATING CAPACITY	2008-09 ACTUAL ENROLLMENT*	2008-09 RESIDENT ENROLLMENT*	PLANNING 2- SEMESTER CAPACITY	PORTABLE CLASSROOMS
CASTLEBAY LANE ES	6.9	1 TRK	832	832	809	807	766	18
GERMAIN ES	8.3	1 TRK	842	842	705	693	818	13
FROST MS	23.8	1 TRK	2,144	2,144	1,784	1,142	1,908	7
LAWRENCE MS	19.5	1 TRK	2,400	2,400	1,723	1,654	2,173	28

Committee Information:

This item was on the agenda for the January 15, 2009 Facilities Committee.

Reporting Requirements and Benchmarks:

Progress is reported monthly in the New Construction Monthly Status Report and updated annually, in the New Construction Strategic Execution Plan. Facilities Services Division status reports are posted on www.laschools.org

Accountable Staff:

Thomas Calhoun, Real Estate Department Regional Development Manager

Applicable Board Delegations:

Superintendent's Comments:

The Superintendent recommends approval of this action.

Miscellaneous Issues and Matters:

Desegregation Impact Statement attached

This action does not require a Desegregation Impact Report.

Division of Accountability and Systemwide Performance

Informative



**LOS ANGELES UNIFIED SCHOOL DISTRICT
Board of Education Report**

Sincerely,

RAMON C. CORTINES
Superintendent of Schools

APPROVED &
PRESENTED BY:

A handwritten signature in cursive script, appearing to read "Joe Mehula".

JOSEPH A. MEHULA
Chief Facilities Executive
Facilities Services Division

APPROVED BY:

DR. JAMES MORRIS
Chief of Staff