From: David Shreni

Sent: Friday, September 8, 2023 10:42 PM

To: City Council; trustees@mvwsd.org; Parks and Recreation Commission **Subject:** Re: MVWSD & City of Mountain View on School Facility Management

Attachments: Letter to Mountain View on the Civic Center Act Revised.pdf

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Apologies for a typo (misspelling), I have included a corrected version for the public record.

-David

On Friday, September 8, 2023 at 09:17:45 PM PDT, David Shreni wrote:

Mayor Hicks (and others),

This week, I was made aware of an upcoming agenda issue before the Council regarding our school facilities. It seems all parties may be misinterpreting the California Civic Center Act. Thank you for your careful read.

Respectfully submitted,

David Shreni

Note: Please submit for the record for both the upcoming City Council Meeting and MVWSD Board of Trustees meeting.

September 8, 2023

Dear Mayor Hicks and City Council Members,

I am always excited by any opportunity to reduce government expenses, such as a transfer of management of our athletic fields to the Mountain View Whisman District. However, there appears to be a severe legal misunderstanding of the California Civic Center Act (CCA) that is driving the MVWSD to take on management of the athletic fields. The CCA **does not** require California school districts to equally prioritize groups (i.e. religious vs athletic groups), rendering the basis for a takeover moot. I encourage you to consider holding off changing a 40-year arrangement until the MVWSD's counsel states, in writing, their legal basis and interpretation for requesting an indemnity by the city.

The School District's Rationale:

In a letter dated May 3, 2023 (Exhibit A), Supt. Rudolph initiated this discussion by thoughtfully describing the impetus for a MVWSD takeover. The letter states that the California Civic Center Act prevents the MVWSD from prioritizing different groups, exposing the district to liability from a lawsuit. The City of Mountain View currently prioritizes groups that service Mountain View residents.

Exhibit A - Supt. Rudolph's Letter

Renters: The District is bound by the Civic Center Act which legislates, among other aspects of rentals, that public schools treat all groups consistently for the purpose of facilities rentals. This means that MVWSD is not allowed to prioritize any one group over another for rentals. If a church group wanted to rent a space, the District must give them the same priority as a residential youth sport. The City's current practice of giving rental preference to sports groups or distinguishing between residential vs. non-resident would not withstand a court challenge, and MVWSD would be liable.

The District understands that the City wishes to support residential use of the fields and has requested that the City agree to indemnify and defend the District against any challenge. The City declined to do this which leaves the District liable for a lawsuit.

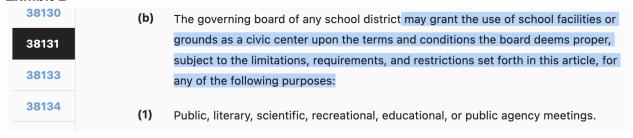
Position 1: The <u>Civic Center Act (Section 38130-38139)</u> does not prohibit prioritizing groups. Concerns of a lawsuit are unfounded.

After a thorough read, that I encourage you to undertake since the CCA is three simply written pages (see Appendix B), the law was implemented to give local school boards the discretion to prioritize groups as they see fit, but without discrimination under the Establishment Clause of the US Constitution. The districts must also charge a calculated, at-cost amount to all groups, such as religious groups.

I have included below (Exhibit B) the relevant California code langage which states the district *MAY* grant use of school facilities to religious organizations, not that they SHALL grant use,

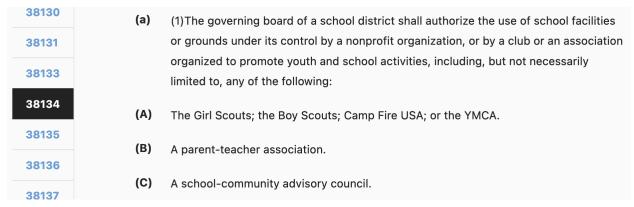
indicating there is no requirement for school districts to host any of the groups, if they desire. For example, the school districts can decide to not host religious groups, day care centers and/or sports teams. This insinuates that districts, and their agents like the City, can decide priorities for their facilities.

Exhibit B



This is in contrast to Section 38134 of the Civic Center Act that declares the school district SHALL grant use of school facilities to three specific groups (Exhibit C)

Exhibit C



The California code is also specific in saying the school district *MAY* (not SHALL!) charge an amount not to exceed its direct costs to all groups, including religious groups (Exhibit D). This is the only specific directive in the entire Civic Center Act around making groups equal. This means the city (or district) is legally clear to charge local Little League teams \$2/hr and religious groups up to \$24/hr (assuming \$24 is the direct cost).

There is no language that prohibits any type of prioritization.

Exhibit D

38130	(b)	Except as otherwise provided by law, a governing board may charge an amount not to
38131		exceed its direct costs for use of its school facilities or grounds. A governing board that levies these charges shall first adopt a policy specifying which activities shall be
38133		charged an amount not to exceed direct costs.
38134	(c)	The governing board of a school district may charge an amount, not to exceed its
38135		direct costs for use of its school facilities or grounds by the entity using the school
38136		facilities or grounds, including a religious organization or church, that arranges for and supervises sports league activities for youths as described in paragraph (6) of
38137		subdivision (b) of Section 38131.
38138	(d)	The governing board of a school district that authorizes the use of school facilities or
38139		grounds for the purpose specified in paragraph (3) of subdivision (b) of Section 38131 shall charge the church or religious organization an amount at least equal to the
		school district's direct costs.

Given the CCA's language, the City's legal counsel should agree that the City of Mountain View can enjoy the same protections the MVWSD enjoys from the law if they were to prioritize different groups.

Position 2: Many California school districts near and far have publicly declared a system of priorities for school facility use.

A simple search of facility use policies for multiple school districts in California, such as Santa Clara (Exhibit F), Palos Verdes (Exhibit E), San Diego and Sacramento (Appendix A) show how most school districts take a very thoughtful, legally balanced approach to prioritizing different types of groups.

Palos Verdes, another wealthy school district, which arguably has lots of smart and expensive lawyers, has no less than NINE different priority group tiers, of which religious groups are the 7th highest priority. This district and 4-page policy has been unchallenged for nearly a decade. (I'm sure the ACLU would love to make an example of them if they had a case.)

This should make practical sense. The CCA explicitly prioritizes civic center use for local residents. In Dr. Rudolph's letter, his example of having to equally balance a non-resident religious group and local sports team is unlikely to be challenged given how the law is written. For example, if a religious group of non-resident Pennsylvania Quakers wanted to host a baseball worship meeting at the same time and place as the Bubb Elementary Little League, it is unlikely that the city (or district) would incur any legal liability for prioritizing the Bubb Little League team game over the Pennsylvania Quaker worship meeting while simultaneously charging the Little League team less.

The California Code contains language that the school district can prioritize local use. (Exhibit H) In the same section where the law declares who the district MUST allow use of our civic centers, it stipulates that school districts are NOT required to prioritize "activities that are not beneficial to *the youth of the school district*" (my emphasis).

Exhibit H

- (a) (1) The governing board of a school district shall authorize the use of school facilities or grounds under its control by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, any of the following:
- (A) The Girl Scouts; the Boy Scouts; Camp Fire USA; or the YMCA.
- (B) A parent-teacher association.
- (C) A school-community advisory council.
- (2) This subdivision does not apply to a group that uses school facilities or grounds for fundraising activities that are not beneficial to youth or public school activities of the school district, as determined by the governing board.

Exhibit F: Santa Clara School District Priorities

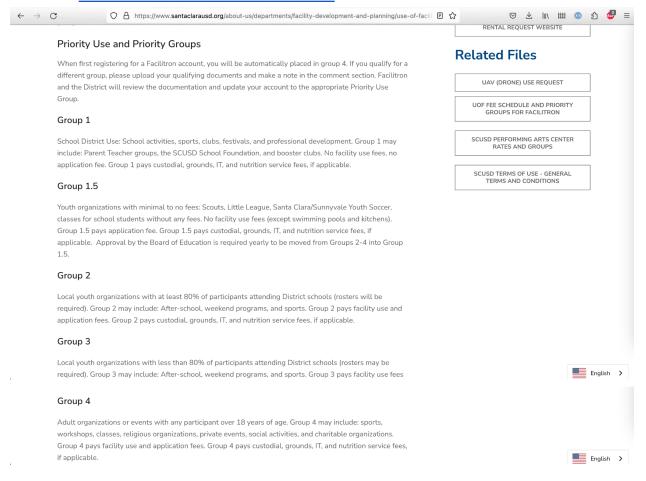


Exhibit E Palo Verdes Priorities



Priority of Use

Use of school facilities and grounds shall be given preference in the following order, and then on a first-come, first-serve basis:

- 1. District or school-related activities (e.g. educational programs or activities related to the instructional and educational programs of the district, regular conduct of schoolwork, in-school or school related uses such as student clubs, class events, etc.)
- 2. Contracted uses (e.g. license agreements, joint use agreements, joint occupancy agreements, and leases, etc., pursuant to the Education Code).
- 3. School and district support groups, including School-Connected Organizations (e.g. PTA, PTO, school community advisory council, foundations such as the Peninsula Education Foundation, graduation committees, or booster clubs, etc.).
- 4. Civic center users with a longstanding relationship with the district in using district facilities and grounds when requesting use of the same facilities and grounds historically used for the same program or use (excludes longstanding civic center users requesting use of different facilities or grounds or different program use) or greater amount of use.
- 5. Nonprofit organizations, clubs or associations whose primary purpose is to promote youth and school activities and when no admission is charged (e.g. Boy Scouts, Girl Scouts, YMCA, YWCA, Camp Fire USA, etc.).
- 6. Public agencies and governmental entities.
- 7. Nonprofit recreational, cultural, civic, service, community, or public affairs groups or organizations (veterans' organizations, senior citizens' organizations, religious groups, etc.)
- 8. Private, non-district/school based classes and educational events.
- 9. Private, non-community based events closed to the public, or for-profit or commercial events or uses.

A final note on expenses assumed by the MVWSD Board

Finally, it is surprising to hear that the MVWSD can manage an additional 20+ acres of land for just \$500K annually. The District has indicated that they would need to hire just 3 additional groundskeepers.

In 2021, the MVWSD publicly reported employing 3 groundskeepers at an all-in cost of \$316,000 (Exhibit G). Let's assume that's the additional cost needed for labor. It would be surprising that the MVWSD can support all water utility costs, arbor (tree) maintenance, additional management time to manage large sports leagues, and purchasing and maintaining a fleet of lawn care equipment for just an incremental \$180,000 per year.

A big storm, like we had earlier in 2023, could potentially swamp the MVWSD budget with \$40,000+ in additional tree management costs. It seems to me that MVWSD is in the business of educating our children, and the City is best suited for the business of landscaping given the veritable army of landscapers they employ to address any situation, such as mole hole management of our sports fields. (a big problem for the 6yr old Coyote soccer team on Thursdays!)

Exhibit G (final column is total compensation):

Oscar I Cortez	Groundskeeper Ii Mountain View Whisman, 2021	\$70,290.14	\$304.54	\$2,693.21	\$73,287.89	\$31,849.73	\$105,137.62
Luciano Perez	Groundskeeper Ii Mountain View Whisman, 2021	\$70,266.00	\$0.00	\$5,182.40	\$75,448.40	\$26,071.59	\$101,519.99
<u>Ysidro Rivera</u>	Groundskeeper Ii Mountain View Whisman, 2021	\$68,728.34	\$95.62	\$3,076.94	\$71,900.90	\$38,510.00	\$110,410.90

Before the City Council and School Board undo 40+ years of an efficient allocation of costs and responsibilities, I urge both to seek further legal opinions that indeed the Civic Center Act requires the MVWSD (and the city) to undo the current prioritization policies.

My core concern is it would be unfair for the Board of Trustees to begin charging our poorest students, who participate in non-profit sports leagues, higher costs (i.e. a Little League Tax) on the basis of a liability that does not exist.

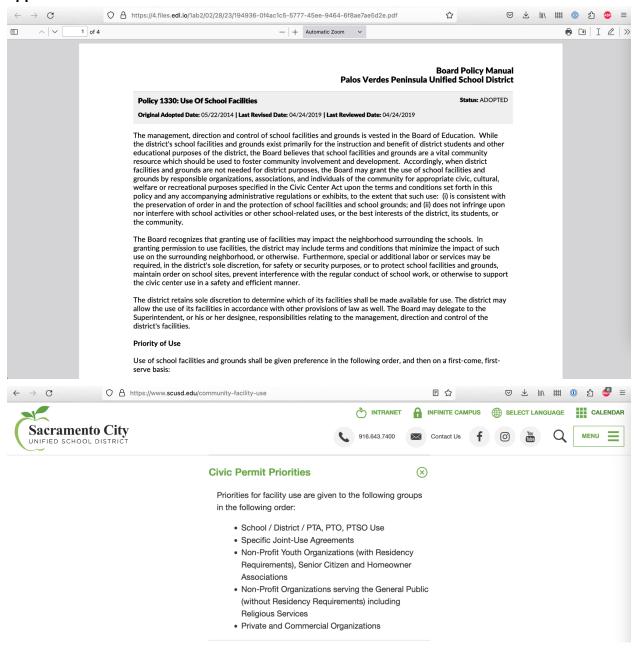
Respectfully,

David Shreni
Bubb Parent
AYSO Assistant Soccer Coach to 6yr old Coyotes
Cuesta Park Community Member

CC:

Dr Ayinde Rudolf - Superintendent Rebecca Westover - CBO Mountain View Whisman School District Board Mountain View City Parks and Recreation Committee

Appendix A - Additional California School District Policies



Gym Use

 $\mathbf{Q}\!:$ Do you rent the gyms for a dult basketball play/practice?

 $\textbf{A:} \ Yes. \ However, priority is given to school activities followed by Community Education activities, youth sports groups, and then adult sports groups.$



4100 Normal Street, San Diego, CA 92103 Main Office: (619) 725-8000

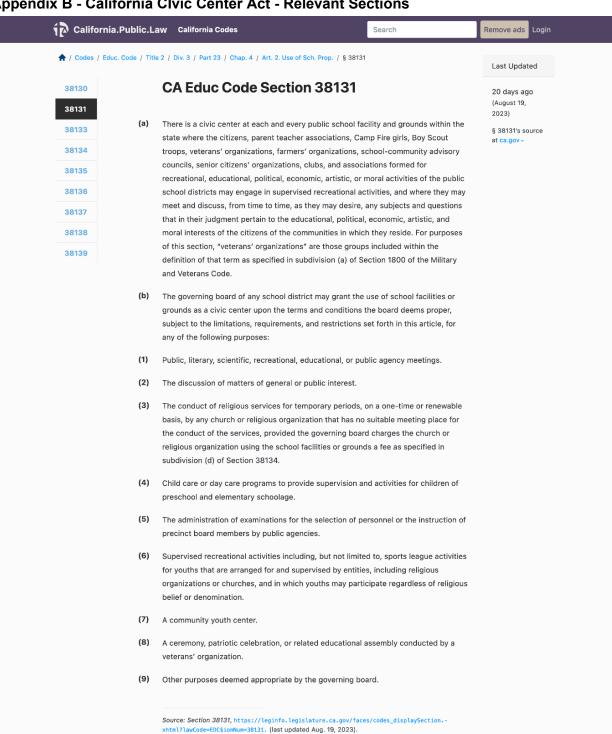
Hours & More Information

Accessibility
Nondiscrimination Statement
Report Bullying
SDUSD Systems Status

Site Man

Stay Connected

Appendix B - California Clvic Center Act - Relevant Sections



♠ / Codes / Educ. Code / Title 2 / Div. 3 / Part 23 / Chap. 4 / Art. 2. Use of Sch. Prop. / § 38133

38130 38131

38133

38134 38135

38136 38137

38138

38139

CA Educ Code Section 38133

The management, direction, and control of school facilities under this article are vested in the governing board of the school district which shall promulgate all rules and regulations necessary to provide, at a minimum, for the following:

- Aid, assistance, and encouragement to any of the activities authorized in Sections 38131 and 38132.
- (b) Preservation of order in school facilities and on school grounds, and protection of school facilities and school grounds, including, if the governing board deems necessary, appointment of a person who shall have charge of the school facilities and grounds for purposes of their preservation and protection.
- (c) That the use of school facilities or grounds is not inconsistent with the use of the school facilities or grounds for school purposes or interferes with the regular conduct of schoolwork.

Source: Section 38133, https://leginfo.legislature.ca.gov/faces/codes_displaySection.-xhtml?lawCode=EDC§ionNum=38133. (last updated Aug. 19, 2023).

Last Updated

20 days ago (August 19, 2023)

§ 38133's source at ca.gov

♠ / Codes / Educ. Code / Title 2 / Div. 3 / Part 23 / Chap. 4 / Art. 2. Use of Sch. Prop. / § 38134

Last Updated

38131

38133

38134

38136

38137 38138 38139 (1)The governing board of a school district shall authorize the use of school facilities or grounds under its control by a nonprofit organization, or by a club or an association organized to promote youth and school activities, including, but not necessarily limited to, any of the following:

(A) The Girl Scouts; the Boy Scouts; Camp Fire USA; or the YMCA.

CA Educ Code Section 38134

- (B) A parent-teacher association.
- (C) A school-community advisory council.
- (2) This subdivision does not apply to a group that uses school facilities or grounds for fundraising activities that are not beneficial to youth or public school activities of the school district, as determined by the governing board.
- (b) Except as otherwise provided by law, a governing board may charge an amount not to exceed its direct costs for use of its school facilities or grounds. A governing board that levies these charges shall first adopt a policy specifying which activities shall be charged an amount not to exceed direct costs.
- (c) The governing board of a school district may charge an amount, not to exceed its direct costs for use of its school facilities or grounds by the entity using the school facilities or grounds, including a religious organization or church, that arranges for and supervises sports league activities for youths as described in paragraph (6) of subdivision (b) of Section 38131.
- (d) The governing board of a school district that authorizes the use of school facilities or grounds for the purpose specified in paragraph (3) of subdivision (b) of Section 38131 shall charge the church or religious organization an amount at least equal to the school district's direct costs.
- (e) In the case of an entertainment or a meeting where an admission fee is charged or contributions are solicited, and the net receipts are not expended for the welfare of the pupils of the school district or for charitable purposes, a charge equal to fair rental value shall be levied for the use of the school facilities or grounds.
- (f) If the use of school facilities or grounds under this section results in the destruction of school property, the entity using the school facilities or grounds may be charged for an amount necessary to repay the damages, and further use of facilities or grounds by that entity may be denied.
- (g) As used in this section:
- (1) "Direct costs" to the school district for the use of school facilities or grounds means the costs of supplies, utilities, janitorial services, services of school district employees, and salaries paid to school district employees directly associated with the administration of this section necessitated by the entity's use of the school facilities or grounds.
- (2) "Fair rental value" means the direct costs to the school district plus the amortized costs of the school facilities or grounds used for the duration of the activity
- (h) (1)A school district authorizing the use of school facilities or grounds under subdivision (a) is liable for an injury resulting from the negligence of the school district in the ownership and maintenance of the school facilities or grounds. An entity using school facilities or grounds under this section is liable for an injury resulting from the negligence of that entity during the use of the school facilities or grounds. The school district and the entity using the school facilities or grounds under this section shall each bear the cost of insuring against its respective risks and shall each bear the costs of defending itself against claims arising from those risks.
- (2) Notwithstanding any other law, this subdivision shall not be waived. This subdivision does not limit or affect the immunity or liability of a school district under Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, for an injury caused by a dangerous condition of public property.
- (i) This section is operative on and after January 1, 2020.

20 days ago (August 19, 2023)

§ 38134's source

Legal Reference for Counsel:

EDUCATION CODE

10900-10914.5 Community Recreation Programs

38130-38138 Civic Center Act: use of school property for public purposes

ATTORNEY GENERAL OPINIONS

79 Ops.Cal.Atty.Gen 248 (1996) COURT DECISIONS

Lamb's Chapel v. Center Moriches Union Free School District (1993) 113 S.Ct. 2141 Cole v.

Richardson, (1972) 405 U.S. 676, 92 S.Ct. 1332

Connell v. Higgenbotham, (1971) 403 U.S. 207, 91 S.Ct. 1772

ACLU of So. Calif. v. Board of Education of San Diego, (1963) 59 Cal .2d 224 ACLU of So. Calif. v. Board of Education of Los Angeles, (1963) 59 Cal .2d 203 ACLU of So. Calif. v. Board of Education of San Diego, (1961) 55 Cal .2d 906 ACLU of So. Calif. v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167

CDE LEGAL ADVISORIES

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89 7/14/04; 12/14/22A

From: Mia Whitfield

Sent: Saturday, September 9, 2023 8:04 AM

To: City Council; MVWSD; trustees@mvwsd.org

Subject: Before it's too late: please mend MVWSD and City relationship

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Dear Honorable MV City Council and Honorable MVWSD School Board and Honorable MVWSD Superintendent,

As a district parent and a long-time city resident, I am alarmed and saddened that the MVWSD district and MV city <u>are</u> now in a dysfunctional relationship following the stalling of the JUA discussions in February 2023.*

I understand that you all have <u>serious</u>, <u>unresolved concerns</u> and may have felt that the only way to move forward was to act unilaterally. I understand that being on the receiving end of unilateral actions has led city staff to recommend that the City Council terminate the JUA (**which may happen as soon as Tuesday**, during the 9/12 council meeting. *links above from public city council agenda materials.)

I implore you: find some way to talk TOGETHER with each other and the community to resolve outstanding concerns, rather than ending the JUA. The city used to have a volunteer mediation program; is there any chance that might be a recourse?

A positive, productive working relationship between school district and city is vital to a healthy community. If you continue down the path you are on, rancor and bad feeling is likely to spike, particularly among members of the community who feel the impact but are unaware of the complexity.

I understand that working this out together is difficult, but I implore you, please do it anyway, for the community we all love. Thank you for your service.

Sincerely, Mia Whitfield

former Landels & Graham parent current MTC tutor





Re: Joint Use Agreement Update

Chris Chiang < cchiang@mvwsd.org >

Sat, Sep 9, 2023 at 8:41 AM

Draft To: Councilmembers < CouncilMembers@mountainview.gov>, "Ramberg, Audrey Seymour" <Audrey.Ramberg@mountainview.gov>, "Andrews, Arn" <Arn.Andrews@mountainview.gov>, "Marchant, John" <john.marchant@mountainview.gov>, "Cameron, Dawn" <Dawn.Cameron@mountainview.gov>, "Logue, Jennifer" <Jennifer.Logue@mountainview.gov>, "McCarthy, Kimbra" <Kimbra.McCarthy@mountainview.gov> Bcc: Zoe Morgan <zmorgan@embarcaderomediagroup.com>

Dear City Manager McCarthy and the Honorable City Council,

I am replying as an individual trustee, not on behalf of the board or school district. Individually, I respectfully and deeply urge the city and council to not take the unilateral move on 9/12 to formally indicate or direct the termination of the fields joint use agreement (the school board has not taken action or given direction on terminating the JUA), and rather, bring the JUA discussion into our upcoming joint city-school board meetings (9/18+) and continue negotiation. This 60+ year relationship should not be changed without long public discourse between the two elected bodies and the community.

The issues around the JUA are not unsolvable. Working out issues around after hour liability, group use fee structures, payment for Vargas' field, and signage and accessibility design around fencing to encourage public use. None of these warrant the end of the JUA.

It would be a risky conclusion to assume that residents would not experience a dramatic change over time if the city were to stop funding field maintenance after hours, and walk away from coordinating public field use via the JUA relationship. School funding is not intended to pay for non-student access, nor are school staff intended to be quasi-parks staff, setting the community on a path over time of degraded access to open space, as school resources and bandwidth don't exist long term for the school district to run a "shadow" parallel parks and rec for the public, one that contains more resident accessible open space than the city's own parks and rec. See San Diego for model joint use:

https://www.sandiego.gov/park-and-recreation/parks/jointusefacilities

Anything that reduces MVWSD's resources and bandwidth to provide great instruction hurts our entire city. Walking away from the JUA means the city loses its chance to co-shape Mountain View's large amount of open field/park space, nonsensically placing Mountain View's most usable open space outside of the city's strategy.

Redwood City School District does not open their fields after hours to much of their community, seen most dramatically in their most social economically disadvantaged neighborhood around Taft Elementary (903 Tenth Ave, Redwood City).

Please see the attached new clip of the opening of the Monta Loma neighborhood 70 years ago, when the city sought a park in Monta Loma, and school district at that time said there was a way to work together, and they did. We should not lightly throw away six decades of successful cooperation for any current differences.

Also attached is information about one of the longest and largest school city joint use programs from San Diego.

https://www.sandiego.gov/park-and-recreation/parks/jointusefacilities

another example is from our 9/18 joint meeting facilitator's Dr. Kelly Bowers' Livermore city and school district, that is working on a half

billion dollar joint bond between the city and school:

https://www.independentnews.com/news/livermore_news/leaders-eye-a-new-shared-bond-measure/article_7b3d467a-e9df-11ed-8a5b-63a379ad8c25.html

Ending the JUA would be a furthering of a staff versus staff shell game that is not in the best long-term interest of Mountain View. The city ending the JUA would a reactionary response to short-term conflicts that further deteriorate relations between the city and MVWSD by severing collaborations.

Sincerely, Chris Chiang

Re: City Council's 9/12 Agenda:

https://mountainview.legistar.com/LegislationDetail.aspx?ID=6343679&GUID=6BDE65E2-32B9-4EF0-9C1D-3A5C9A6E53C3&Options=&Search=

4 attachments



San Diego School City All Day Parks List.pdf 130K



San Diego School City All Day Parks FAQ.pdf 205K



San Diego School City All Day Parks.pdf



San Diego Off Leash Dog Park on School Land.pdf

Residents Work To Develop Park

The recent official dedication ceremonies held at the Monta Loma Park culminated two years of cooperative effort on the part of residents, and recreation and school officials.

The park, located adjacent to Monta Loma School, is complete in its first phase. Development of the remainder is underway with the installation of sprinklers for the undeveloped portion.

The park occupies five and a half acres of the 10-acre school site. Whisman District owns the land and leases the park to the city for recreational use for one dollar per year.

All of the work completed thus far in developing the facilities has been done by city work crews and interested residents of the school area.

Residents Pitch In

Residents, anxious to have their own nearby park facilities, have pitched in and contributed immensely to its completion.

Evenings and weekends of many have been devoted to the installation of the first phase sprinkler system and construction and erection of the chain link backstop which

becue pits and picnic tables, horseshoe pits and shuffleboard, in addition to landscaping.

Cost of the development to the city will be about \$11,000 for both phases. Additional funds have been contributed by the school and local merchants,

Funds for the development have come from a recreation assessment tax levied against the developers in the area and monies from surplus sales taxes.

sprinkler pipe installation at Monta Loma Park was accomplished by residents of the area in developing the Little League baseball diamond. Weekend workers included (foreground, left to right) Jim Blaine, Scotty MacGibbon, Arthur Tindall, Whisman superintendent, and Ricky MacGibbon. Development of the second phase is underway.



THE CITY OF SAN DIEGO
TO THE PARK AND RECREATION BOARD

DATE ISSUED: April 12, 2022 REPORT NO. 102

ATTENTION: Park and Recreation Board

Agenda of April 21, 2022

SUBJECT: EUGENE BRUCKER EDUCATION CENTER TEMPORARY OFF-

LEASH DOG PARK GENERAL DEVELOPMENT PLAN

SUMMARY

<u>Issue:</u> Recommend approval of the General Development Plan (GDP) for the Eugene Brucker Education Center Temporary Off-leash Dog Park in the Uptown Community to the Parks and Recreation Director.

<u>Recommendation:</u> Recommend approval of the proposed General Development Plan (GDP) for the Eugene Brucker Education Center Temporary Off-leash Dog Park in the Uptown Community.

<u>Other Recommendations</u>: The Community Recreation Group has reviewed and considered the proposed project as detailed below:

On December 2, 2021, the University Heights Community Recreation Group voted (6-0-0) to recommend approval of the General Development Plan (GDP) for the Eugene Brucker Education Center Temporary Off-leash Dog Park.

Fiscal Impact:

Capital Funding: The General Development Plan (GDP) and design and construction of the temporary off-leash dog park, is funded by the Parks and Recreation Department General Fund approved by City Council.

The City and San Diego Unified School District (SDUSD) will enter into a License Agreement for the City's use of District property where the temporary off-leash dog park will be located. The terms of the temporary license agreement will include a yearly City payment of \$15,600 in consideration for the City's exclusive use of District property.

Page 2

Eugene Brucker Ed Center Temporary Off-leash Dog Park General Development Plan April 12, 2022

Operations and Maintenance: The cost to operate and maintain this project on an annual basis is approximately \$26,351 per year. This includes all labor, materials, equipment and supplies, as well as the cost to hire a security company to lock the gates at dusk as well as the license agreement payment to the District.

<u>Water and Energy Conservation Status</u>: The proposed project complies with all water and energy conservation guidelines contained in Council Policy 200–14.

Environmental: This activity is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15311 (Accessory Structures), and 15331 (Historical Resource Restoration/Rehabilitation). None of the exceptions to the exemptions listed in CEQA Guidelines Section 15300.2 would apply.

BACKGROUND

This project provides for the design and construction of a temporary off-leash dog park at Eugene Brucker Education Center which is located at 4100 Normal Street within the Uptown Community, within Council District 3. The approval of this park will provide an additional approximately 0.22 acres and 18 Recreation Value Points of population-based recreational opportunities in a park deficient community per current City park standards.

DISCUSSION

A temporary off-leash dog park at the Eugene Brucker Education Center is proposed to alleviate off-leash dog activity currently occurring at Birney Elementary Joint Use Facility. The SDUSD Education Center operations will be relocating to a new facility in Kearny Mesa in approximately 3 years. SDUSD will retain ownership of the site and will be resuming a community stakeholder master planning process soon. The proposed off-leash dog park location will be a temporary facility until the site is redeveloped. The master plan for the redevelopment of the site will likely include a permanent off-leash dog park in a location to be determined.

This will not be a joint use facility, there is no shared use of the facility with the District. The City will obtain use of the facility through a license agreement with SDUSD. The proposed facility will be open to the public every day from 6am-dusk and will be locked at dusk by a security company hired by the Parks and Recreation Department.

The proposed location for the temporary off-leash dog park is located adjacent to the Teacher Training School Building otherwise known as Annex #1 is on the National Register of Historic Places. It is noted as a "rare example of monumental Eugene Brucker Ed Center Temporary Off-leash Dog Park General Development Plan April 12, 2022

civic architecture outside of San Diego's urban core.". It was used from 1910–1921 as San Diego State Normal School, from 1921–1931 as the San Diego State Teachers College and since 1931 by the San Diego Unified School District. The landscape in front of the building is also listed in the narrative description from the National Register. It has been determined that fencing in front of the primary façade would not be compatible with the resource. The proposed location of the temporary offleash dog park does not propose any fencing in front of the Annex #1.

The General Development Plan (Attachment 1) will provide the following:

- Off-leash dog park (approximately 0.22 acres)
- Access walkway
- Curb ramp and blue painted curb street parking space

The City conducted two public workshops with the community. The primary issues raised during the community input meetings were size and configuration of the proposed off-leash dog park and Birney Elementary Joint Use Facility operations. A detailed response is included in the paragraphs below.

Size and configuration of the proposed off-leash dog park

The community also requested that the proposed off-leash dog park area be enlarged to include the entire Ed Center lawn area along Normal Street. It was explained that the proposed off-leash dog park could not be expanded to the north due to the historic resource nor to the south because a buffer is needed between the off-leash dog park area and where SDUSD Ed Center staff currently eats lunch and takes breaks.

Two options for the off-leash dog park were considered by the Community Recreation Group (CRG). They selected the single pen option over two smaller pens separating small and large dogs.

Birney Elementary Joint Use Facility Operations

The CRG requested that the Birney Elementary Joint Use Field (Birney JUF) be locked from dusk to dawn immediately. The CRG also requested that Birney JUF be designated no dogs allowed as soon as the temporary off-leash dog park is open.

The District has arranged to lock the gates at Birney JUF at dusk on school days when District staff is on site. The Parks and Recreation Department is working to identify funding to hire a security company to lock and unlock the gates at when District staff is not on site (weekends, holidays and school breaks).

A prohibition of dogs on leash at Birney JUF would require a change in the City's municipal code. The City is working with the City Attorney's Office to review whether a prohibition at pilot sites such as Birney JUF is advisable.

Page 4

Eugene Brucker Ed Center Temporary Off-leash Dog Park General Development Plan April 12, 2022

Respectfully submitted,

Andy Field

Director, Parks and Recreation

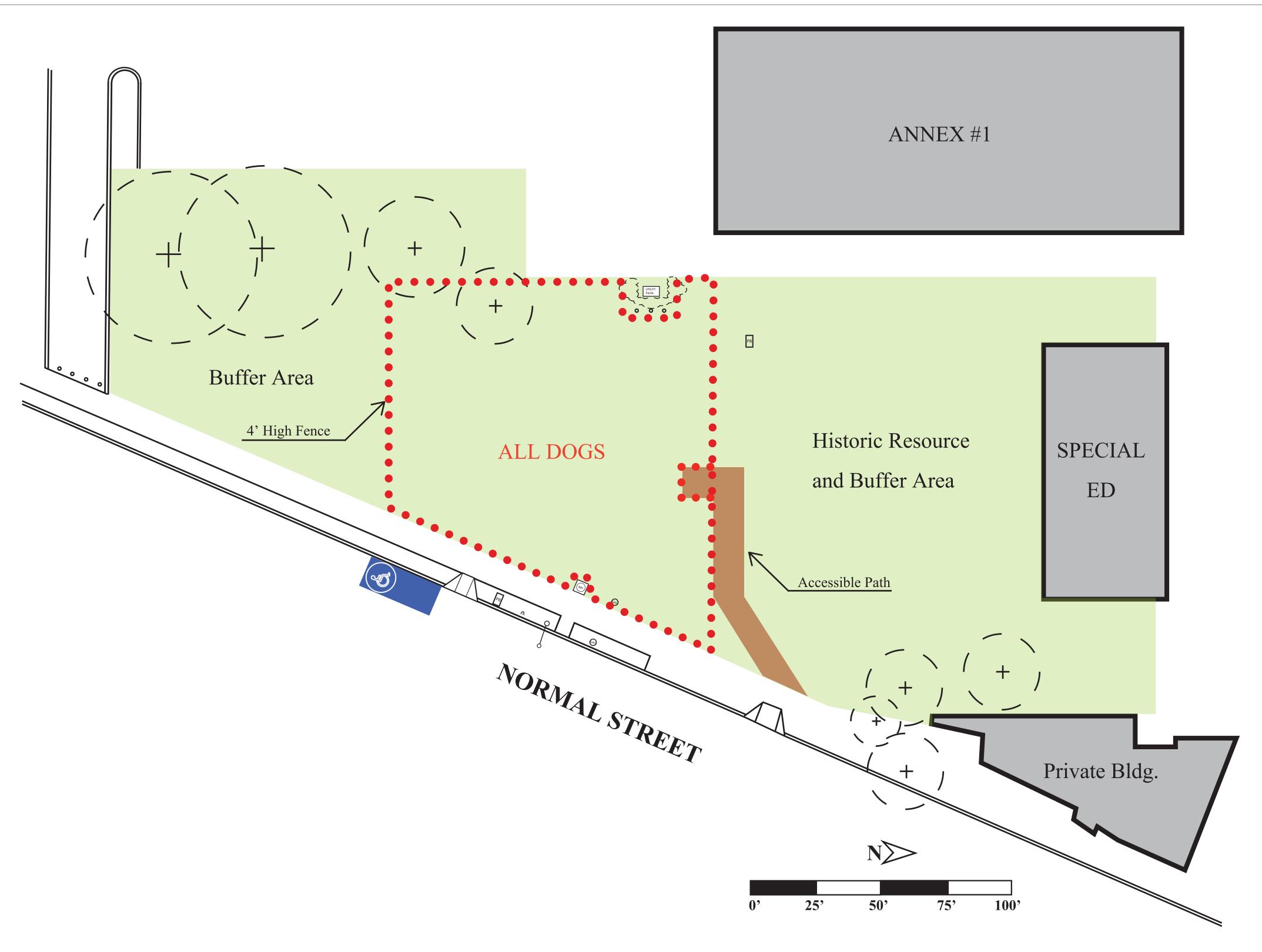
Prepared by Shannon Scoggins Park Designer, Parks and Recreation

Shannon B. Staggins

(SS/ss)

Attachments:

- 1. Eugene Brucker Education Center Temporary Off-leash Dog Park General Development Plan
- 2. Notice of Right to Appeal Environmental Determination Eugene Brucker Education Center Temporary Off-leash Dog Park
- 3. Historic Letter of Determination Eugene Brucker Education Center Temporary Off-leash Dog Park
- 4. Recreational Value Scoring Eugene Brucker Education Center Temporary Off-leash Dog Park



COUNCIL DISTRICT: 3 COMMUNITY PLAN AREA: Uptown Neighborhoods

DATE	ACTION	REFERENCE DOCUMENTS		
	SITE ACQUIRED	RESO. NO.	COST \$:	ACRES:
	SITE DEDICATED	ORD. NO.		ACRES:
	GDP CONSULTANT HIRED	RESO. NO.	NAME:	
	P&R BOARD APPROVAL	PF&R APPROVAL	DATE:	
	INITIAL DEVELOPMENT	CIP NO.	J.O. NO.	DRWG. NO.
		CIP NO.	J.O. NO.	DRWG. NO.
		CIP NO.	J.O. NO.	DRWG. NO.
		CIP NO.	J.O. NO.	DRWG. NO.
		CIP NO.	J.O. NO.	DRWG. NO.
		CIP NO.	J.O. NO.	DRWG. NO.
		CIP NO.	J.O. NO.	DRWG. NO.
		J L		J-1

ITEM	QUANTITY	ITEM	QUANTITY	ITEM	QUANTITY	ITEM	QUAN
TOTAL SITE	0.24 AC.	TOT LOT	SF	PAVED WALKWAYS	SF	SECURITY LTS.	S
IMPROVED AREA	AC.	MULTI-PURPOSE CT.	SF	PARK ROADS	SF	BALLFIELD LTS.	S
TURF	0.24 AC.	TENNIS CTS.	SF	PARKING LOT	SF	TENNIS COURT LTS.	S
SHRUB BED	AC.	RESTROOM	SF	PARKING STALLS-STD.		MULTI-PURPOSE CT. LTS.	S
NATURAL	AC.	REC. BLDG.	SF	PARKING STALLS-DISABLE	D	BACKSTOPS	
D.G. PAVING	AC.	POOL BLDG.	SF	COURT GAME AREA	SF	BENCHES	
DIRT INFIELDS	AC.	POOL DECK	SF	LAWN EDGING	LF	PICNIC TABLES	
		POOL WATER	SF	BLEACHERS	EA.	TRASH RECEPTACLES	•

CITY OF SAN DIEGO PARK AND RECREATION DEPARTMENT

THE GENERAL DEVELOPMENT PLAN

ED Center Temp - Dog Park

(NEIGHBORHOOD OR COMMUNITY) PARK

PSD (PSD (V)

LAMBERT COORDINATES: THOMAS BROTHERS PAGE: (PSD #)



Date of Notice: March 23, 2022

NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

PLANNING DEPARTMENT

PROJECT NAME: Eugene Brucker Education Center Temporary Off-leash Dog Park

COMMUNITY PLAN AREA: Uptown **COUNCIL DISTRICT:** District 3

LOCATION: 4100 Normal Street, San Diego, CA 92103

PROJECT DESCRIPTION: This project provides for the design and construction of an approximately 0.22 acre temporary off-leash dog park at the Eugene Brucker Education Center. The project will include fencing, an access walkway, a curb ramp, and blue painted curb street parking. The temporary off-leash dog park is located adjacent to the Teacher Training School Building otherwise known as Annex #1, which is listed on the National Register of Historic Places. The landscape in front of the building is also listed in the narrative description from the National Register of Historic Places. The project has been reviewed by Historic staff in the City of San Diego's Development Services Department and it was determined that the project is in conformance with the U.S. Secretary of the Interior's Standards for Rehabilitation of a historic property. The creation of the park will avoid the open space between the front façade of the historic structure and Normal Street, as well as the remnants of a path and flag pole which were previously installed on site.

After the approval of the General Development Plan for the park, the City and San Diego Unified School District (SDUSD) will enter into a License Agreement for the City's use of SDUSD property where the Eugene Brucker Education Center Temporary Off-leash Dog Park will be located.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego

ENVIRONMENTAL DETERMINATION: This activity is categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15311 (Accessory Structures), and 15331 (Historical Resource Restoration/Rehabilitation).

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego Mayor-Appointed Designee.

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:

The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment pursuant to State CEQA Guidelines Section 15301 (Existing Facilities) which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use; and

Section 15303 (New Construction or Conversion of Small Structures) which consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and Section 15311 (Accessory Structures) which consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities; and Section 15331 (Historical Resource Restoration/Rehabilitation) which consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer. The exceptions listed in CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified; no significant effects on the environment were identified; the project is not adjacent to a scenic highway; no historical resources would be affected by the action; and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code.

CITY CONTACT: Shannon Scoggins, Park Designer, City of San Diego Parks and Recreation Department

MAILING ADDRESS: 2150 Pan American Road West, MS 35, San Diego CA 92101

PHONE NUMBER/E-MAIL: (619) 236-6894 / SScoggins@sandiego.gov

On March 23, 2022, the City of San Diego made the above-referenced environmental determination pursuant to CEQA. This determination is appealable to the City Council. If you have any questions about this determination, contact the City Contact listed above.

Applications to appeal the CEQA determination to the City Council must be filed with the Office of the Clerk within 5 business days from the date of the posting of this Notice (March 30, 2022). Per the revised Public Notice issued by the Office of the City Clerk on September 28, 2021, appeals to the City Clerk must be filed via e-mail or in-person as follows:

- 1. <u>Appeals filed via Email</u>: Send the appeal by email to <u>Hearings1@sandiego.gov</u>; your email appeal will be acknowledged within 24 hours. You must separately mail the required appeal fee by check payable to the City Treasurer to: **City of San Diego Planning Department, Attn: Sureena Basra, 9485 Aero Drive, MS 413, San Diego, CA 92123**. The appeal filing fee must be postmarked within five (5) business days of the date the appeal is filed.
- 2. <u>Appeals filed In-Person:</u> The appeal application can be obtained in the Lobby of the City Administration Building located at 202 'C' Street, San Diego, CA 92101. The completed appeal package must include the required appeal fee in the form of a check payable to the City Treasurer to: City of San Diego Planning Department, Attn: Sureena Basra, 9485 Aero Drive, MS 413, San Diego, CA 92123.

If you have any questions regarding the procedures to file the appeal, please contact **Sureena Basra at sbasra@sandiego.gov**. The revised Public Notice can be found here: https://www.sandiego.gov/sites/default/files/office of the city clerk public notice rev09252020 v2.pdf.

This information will be made available in alternative formats upon request.

POSTED ON THE CITY'S CEQA WEBSITE

POSTED: <u>3/23/2022</u>

REMOVED: <u>3/30/2022</u>

POSTED: <u>S. Basra</u>



Attachment B

Environmental Determination (NORA)								
Environmental Planner	Sureena Basra (SBasra@sandiego.gov)							
Project Name Eugene Brucker Education Center Temporary Off-leash Deark								
Environmental Determination	Categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), 15311 (Accessory Structures), and 15331 (Historical Resource Restoration/Rehabilitation).							
Date NORA Posted	03/23/2022							
Date NORA Removed	03/30/2022							



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: March 17, 2022

TO: Shannon Scoggins, Park Designer, Park and Recreation

FROM: Suzanne Segur, Senior Planner, Historical Resources, Development Services

Department

SUBJECT: Eugene Brucker Education Center Temporary Off-Leash Dog Park General

Development Plan

I am in receipt of your email dated February 22, 2022 requesting historical resources staff approval of a temporary off-leash dog park project at the San Diego State Normal School, designated on the National Register. I have reviewed the emails and attachments consisting of a staff report to the Park and Recreation Board and associated PowerPoint presentation and have found the project to be in conformance with the U.S. Secretary of the Interior's Standards for Rehabilitation of a historic property. Specifically, the following scope of work has been reviewed and approved as consistent with the Standards:

- Creation of a fenced-in, off-leash dog park which will avoid the open space between the front façade of the historic structure and Normal Street. Additionally, the remnants of a path and flag pole that were previously installed on site will not be impacted.
- Access walkway
- Curb ramp and blue painted curb street parking space

The February 22 email and related attachments will be included in the designation file, along with a copy of this memo, as a record of our review and approval. Please note that any and all changes to the project scope, including changes in fencing material or any repair or modifications to the structure or landscape not anticipated and addressed in your submittal, will need to be reviewed and approved by our staff for consistency with the Standards prior to those changes or work being carried out.

Please let me know if you have any questions. I can be reached at 619.236.6139 or by email at ssegur@sandiego.gov. Thank you.

Suzanne Segur

cc: Designation File for San Diego State Normal School Elena Pascual, Associate Planner, Planning Department Michelle Abella-Shon, Project Officer II, Park and Recreation

Recreational Value Scoring - Eugene Brucker Education Center Temporary Off-leash Dog Park

Park Size Category	Points	Improvements	Notes
Scoring: Based on overall park acreage (population-serving only)	•	
Park Acreage: Points are awarded to parks based on	7 point per acre	0	
their overall acreage.	7 point per acre	0	
Parks under an acre will receive 0.875 points for each	0.875 points for each 1/8 acre	0.875	Proposed 0.22 acre facility
1/8 acre.	0.075 points for each 175 dere	0.073	11 oposed 0.22 dere identity
Does not apply to MHPA or MSCP lands			
AMENITIES/RECREATION OPPORTUNITIES	1	2	
Health/Fitness/Sports Category	Points	Proposed Improvements/ expansion	Notes
Play Area	7 pt. per 750 sf of play area ¹	0	
Nature Exploration Playground ¹¹	7 pt. per 1/2-acre	0	
Multi-Purpose Turf Area - point per each 1/2 acre	7 pt. per 1/2 acre	0	
Active Recreation Fields	56 points for an active recreation field module (1 soccer field and 2 softball fields) or 28 points for a single softball or soccer field ⁶	0	
Basketball/Tennis/Pickleball/Sand Volley Ball	7 pt. per each full court (3.5 point for half- court) ⁶	0	
Small Hardcourt Areas: with pavement-coating markouts	3.5 pt. per hardcourt area; 7 pts. maximum ⁵	0	
Sports Lighting - pickleball, volleyball, basketball full- court - or equivalent to basketball full-court	3.5 pt. per court ¹²	0	
Sports Lighting - single softball field, full-size	7 pt. for ea. full size field ¹²	0	
Sports Lighting - each pair of softball fields or full-size soccer field	14 pts. 12	0	
Splash Pad (water playground)	14; 14 pts. maximum	0	
Multi-use Pathways: (Route Type 6, per SD Pedestrian Master Plan)	7 pt. per 1/2 mile	0	
Decomposed Granite or Dirt Trails: 4 ft. min. width, (Route Type 7, SD Pedestrian Master Plan)	7 pt. per 1 mile	0	
Fitness Circuit	7 pt. for ea. 3 pieces of equip. w/ signage; 21 pts. maximum per 5 acres	0	
Specialty Recreation (hard-surface) pump tracks, skate plaza or similar	7 pt. per 5,000 sf each	0	
Specialty Recreation (soft-surface)	3.5 pt. each; 7 pts. Maximum	0	
Specialty Recreation: disc golf or similar (min. 1/2 acre) ²	7 pt. each; 14 pts. maximum	0	

4/12/2022 1

Recreational Value Scoring - Eugene Brucker Education Center Temporary Off-leash Dog Park

Social Spaces Category		Proposed Improvements/	
Social Spaces Category	expansion	Notes	
Off-Leash Dog Area - 1/8 acre minimum fenced area	10.5 pts. for ea. area less than 3 acres	10.5	0.22 acres
Off-Leash Dog Area - 3 acres minimum fenced area	21 pts. for ea. area 3 acres and larger; 42 pts. Maximum	0	
Food Area/Concessions or Clubhouse Building (if separate from Rec Center), 250 s.f. minimum size	7 pt, 7 pt. maximum	0	
Community Garden ³	7 pt for ea. 10 plots; 14 pts. maximum	0	
Interactive/Technology Element	7 pt. maximum	0	
Performance/Event Space: 5,000 s.f. minimum size	•		
paved area with seating, lighting and utilities (power, data, sound) ⁸	21; 21 pts. maximum	0	
Site Amenities Category		Proposed Improvements/ expansion	Notes
All-weather shade cover/pavilion with tables/seating	7 pt. for ea. 400 sq. ft roof area (min. size)	0	
Restroom building	21 pt. per building	0	
Ranger Station Facilities: with public educational/interpretive display areas(s)	7 pt. per 1,000 sf	0	
Amphitheater: with hardscape seating and universal access ⁸	7 pt. per 40-person capacity; 14 pts. maximum	0	
Wayfinding Signage System ⁹	3.5 pt per system; 7 pts. maximum	0	
Public Art/Placemaking Elements (only 1 element per		0	
space)	3.5 pt. for each element; 7 pts. maximum	Ü	
Creation of wetlands area(s) or native planting	10.5 pt per acre	0	
restoration area(s) ⁷	10.5 pt per dere	-	
ACCESS/CONNECTIVITY		Proposed Improvements/ expansion	Notes
Definition : Measures ability of park to increase overall connectiv	ity in the Citywide parks network or improve access		
to an existing recreational asset Scoring: 0 (no component present) or 7-21 (component present)			
scoring. O (110 component present) of 7-21 (component present)	Points		
Linkages: connection to a Cl 1 Bike or Cycle Track	21; 21 pts maximum	0	
Linkages: connection to a trail system in open space	14; 14 pts maximum	0	
Integrated with transit: within 500 ft. walking distance	14; 14 pts maximum	0	
to a transit stop or closer Integrated with transit: within 1/4-mile walking	7; 7 pt. maximum	7	
distance to a transit stop Connection to Active Public Realm (less than 50 feet to	7; 7 pt. maximum	0	
café, restaurants, gym/fitness, retail) Connection to Public/Civic Use (co-location with school,	7; 7 pts maximum	0	
library, non-profit)	7,7 po maximam	Ŭ .	
Connection to Natural Area/Scenic View Corridor (must have physical structure to connect or provide view	7; 7 pts maximum	0	
access)			

4/12/2022 2

Recreational Value Scoring - Eugene Brucker Education Center Temporary Off-leash Dog Park

ACTIVATION & ENGAGEMENT	Proposed Improvements/ expansion	Notes	
Definition : Measures ability of space or facility to spark social inte	eraction and learning-based recreation and bring		
diverse users together			
Scoring : 0 (no component present) or 7-21 (component present)			
	Points		
Interpretive/Education/Cultural Elements, such as			
Tribal cultural elements: minimum of 10 square feet of	7; 7 pt. maximum	0	
sign art/copy display area			
Space dedicated to programmed activities, weekly			
minimum occurrences: 7 pt. for 5,000-10,000 s.f.; 14	14; 14 pts maximum	0	
pts. for 10,000 or more s.f.			
Recreational Features for the Disabled ⁴	21; 21 pts maximum	0	
Trails or Multi-use Pathways contiguous with wetland			
area(s), or significant water body, or native planting	7 pt per 1/2 mile	0	
restoration area(s) ⁷			
Urban Forestry: at 5-year growth 50% of all site			
hardscape (roads, sidewalks, parking lots) have greater	14; 14 pts maximum	0	
than 60% tree canopy ¹⁰			
	TOTAL VALUE POINTS :	18	

Recreation Value Points Tabulation Summary:	
Total Proposed Facility Value Points	18
Population Served 180	residents

^{*} See PMP Appendix D for Notes

4/12/2022 3





PLAY ALL DAY PARKS PROGRAM FREQUENTLY ASKED QUESTIONS AND CONCERNS

Updated 2/11/19

Introduction:

The Play All Day Parks Program is an exciting initiative to build over 45 new joint-use parks. This is an ambitious goal made possible by strong collaboration between the City of San Diego and the San Diego Unified School District to expand recreational opportunities in our city. The initiative strengthens the long-standing partnership between the city and the school district to maximize the shared use of public facilities and resources for educational and community use.

The Play All Day Parks Program also advances San Diego Unified's goal to develop quality schools in every neighborhood of San Diego. Quality neighborhood schools provide resources and support the needs of each and every community.

The new joint-use parks will be opened on existing school sites; and, for the most part, will be constructed with the school district's Proposition S and Z bond funding. The city will commit to operating and maintaining the new joint-use parks.

Why are joint-use parks needed?

One of the biggest challenges San Diego faces in providing new parks in our communities is the limited amount of available land. Joint-use partnerships with schools fill an essential gap in addressing the city's need for more park land and additional recreational opportunities for all residents.

What hours are joint-use parks available to the public?

Joint-use parks are typically open to the public when school is not in session. This includes before and after school, on school breaks, holidays and weekends.

The specific hours of use will be determined with each school site depending on the school's schedule. Typically, public hours end 30 minutes before the first bell at the start of the school day, and begin 30 minutes after the school dismissal bell at the end of the school day.

Will trees be provided in the joint-use parks?

A small number of shade trees may be included in joint-use parks if funding is available. However, shade trees will not be planted within the turf field area. All tree plantings must be irrigated, and tree species will be selected from the school district's list of approved trees. If future trees are planned, an irrigation connection can be provided during construction for future tree locations.

Can items be donated to be included in the proposed joint-use parks?

Donated items such as additional trees or benches can be included in joint-use parks. Contact the school principal for specific requests. Donated items must conform to all school accessibility and safety standards.

Can security be increased, especially by locking the gates?

The Park and Recreation Department's operations and maintenance budget for the new Play All Day joint-use park sites includes an operational cost to hire a security company to lock the joint-use park gates every evening at dusk. School custodial staff will be available to unlock the gates in the morning before school starts, and unlock the gates after school each day. When school staff is not available to unlock the gates (on school holidays, weekends and school breaks), the security company will lock and unlock the gates.

Can screening and privacy for adjacent neighbors be increased?

The city and school district will examine screening options at joint-use parks, such as adding trees or slats in the joint-use park boundary fence when needed. The outcome of the evaluation will be site specific since conditions vary from school to school. However, any screening must be accomplished without compromising the surveillance of the joint-use park.





Will the joint-use parks have lighting?

Lighting of fields, even on a temporary basis, will not be contemplated at these new joint-use parks where lighting would negatively impact adjacent residential neighbors.

Will amplification of noise be allowed?

Activities that include amplification of noise (boom boxes, megaphones) will not be permitted at joint-use parks. During the public use hours of operation, city staff will respond to complaints of excessive noise. If noise is determined to be the result of league play, staff will take action with league permit holders.

How are impacts to parking and traffic being addressed?

Project impacts including parking and traffic caused by the proposed public use of a joint-use park (not the school itself) will be studied as part of the environmental review process. Any identified impacts will be addressed. In addition, the city's Park and Recreation Department will work with community sports leagues on the permitting and scheduling of the league play activities to further reduce parking impacts to the community.

Can permitted use hours or activities be restricted?

Each joint-use park is permitted through the Park and Recreation Department. The hours and types of permitted activities vary from site to site depending on a variety of factors. If there are specific concerns regarding permitted uses, they may be addressed on a case by case basis with the Park and Recreation Department.

Why isn't synthetic turf being considered at the proposed joint-use parks?

At this time, the city is not able to make a commitment that funding will be available to replace the synthetic turf fields in 10 years. Therefore, no joint-use agreements requiring the replacement of synthetic turf will be pursued with San Diego Unified .





How can a natural-grass turf field comply with water restrictions?

The city's Park and Recreation Department is proud of its record of conserving water during the drought restrictions. Overall usage in the city has decreased significantly, beyond the previously mandated reduction of 16 percent. The department is applying new watering methodologies to irrigate responsibly within San Diego's various climate zones, and the department is prioritizing water use on athletic fields such as joint-use parks. Active recreational turf areas are currently, irrigated three times per week. The following sites can provide additional information:

https://www.sandiego.gov/water/conservation/drought, http://www.sdcwa.org/drought-resources, and http://www.waterboards.ca.gov/sandiego/.

Are dogs allowed at the proposed joint-use parks?

The Municipal Code has no prohibition of leashed dogs on public property. The city will place signage that reminds patrons that off-leash dogs are not permitted within the joint-use parks and that patrons are responsible to clean up after their dogs. Dog waste stations and trash cans will be provided at the entrance to joint-use areas. The sign will also have a phone number for the San Diego Humane Society (619–299–7012) to report any out-of-control or leash-free dogs. You can also email the Humane Law Enforcement team at investigations@sdhumane.org.

How will laws be enforced?

When a park patron or resident observes that a crime is being committed or a regulation is being violated in a joint-use park, they should either call 911 or (619) 531-2000 (non-emergencies). The San Diego Police Department (SDPD) will respond to these issues. Other issues related to permitting, unruly groups and other matters that do not warrant police attention should be referred to Park and Recreation. City staff monitors field use, but there is no on-site staff; and other than maintenance staff, there will not be daily visits. Park and Recreation staff work closely with user groups to ensure their use of the fields does not negatively impact neighborhoods (such as noise issues). Park and Recreation staff do not have the ability to issue citations or arrest individuals for criminal activity. The Humane Society enforces off-leash dog issues,



and SDPD is responsible for enforcing other laws and curbing criminal activity on joint-use parks during city joint-use hours.

How were the joint-use park sites selected?

The determination to jointly use the selected school sites were made in partnership with the school district. A number of factors were evaluated based on the specific merits of each site. The following factors were taken into account in the selection of the Play All Day joint-use park sites:

- Pre-identified for school district funding
- On the school district's schedule for implementation
- Identified in the Community Plan or Facilities Finance Plan as a future joint-use park
- Located in park-deficient communities

What is the approval process for a proposed joint-use park?

Council Policy 600–33 provides guidelines to assure that the public has adequate notification and opportunity to participate in the public input process for all public park projects, including joint–use parks.

A General Development Plan (GDP) is prepared for each joint-use park. The GDP is a conceptual master plan that identifies the activities and amenities to be included in a proposed joint-use park. The proposed joint-use park is presented to the public during a series of Recreation Council meetings. The Recreation Council is officially recognized by the city and is comprised of community members who are tasked to promote park and recreation opportunities within their designated community.

The Recreation Council is responsible for providing an advisory recommendation to the Park and Recreation Board, the city's recognized advisory park board. Prior to taking a proposed joint-use park to the Park and Recreation Board, the proposed project will undergo the appropriate environmental review process. Once the project is approved by the Park and Recreation Board, a Joint-Use Agreement is prepared. The Joint-Use Agreement is the legal agreement between the city and the school district and is first approved through the Board of Education and then City Council.





What is the procedure to secure a permit at a joint-use park?

The city's department instruction publication, DI-8.3, has been created to establish a priority system for scheduling reserved use of athletic fields. Priority is given to: 1) organized activities operated by the city or the recognized Recreation Council; 2) "everyone plays" youth and adult sports groups; 3) "skill level" youth and adults sports groups. Youth sports groups are given priority during daytime hours, Monday through Saturday. Priority is also given to San Diego residents.

Questions

For more information, please contact Shannon Scoggins, City of San Diego, Planning Department at (619) 236–6894, sscoggins@sandiego.gov or Thomas Calhoun, San Diego Unified School District, Facilities, Planning and Construction at 619–609–3431, tcalhoun@sandi.net



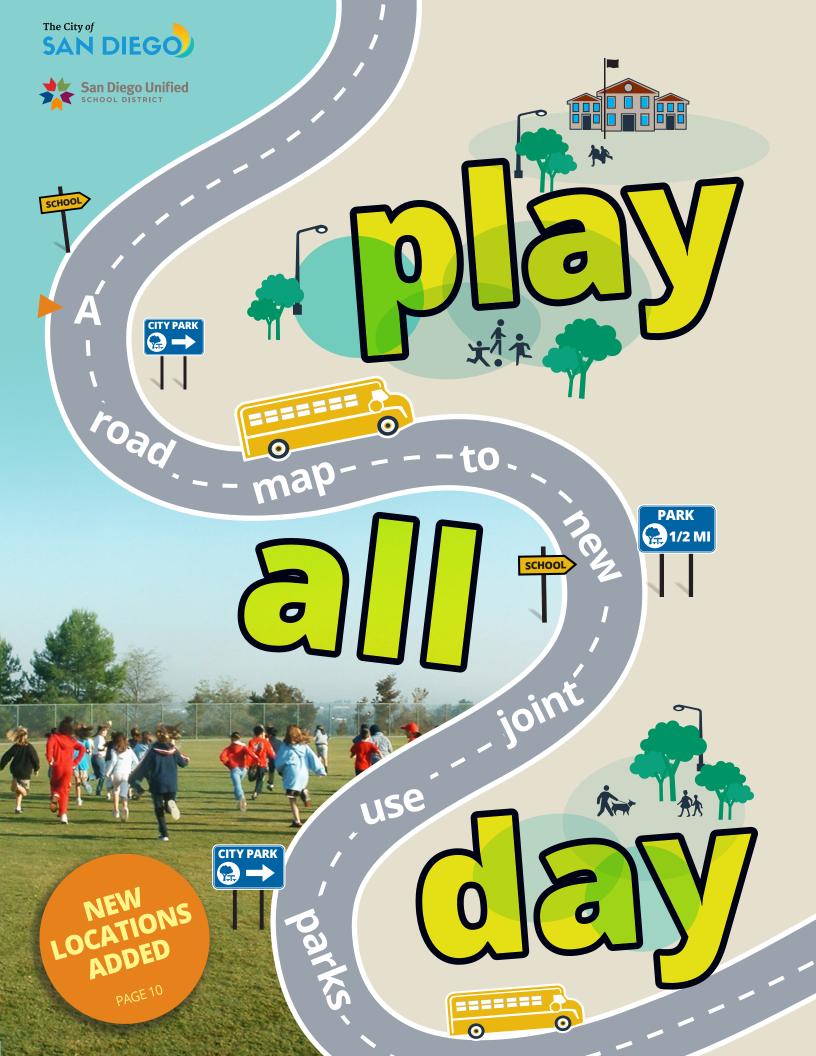


City of San Diego/San Diego Unified School District Tracking Sheet Current and Future Joint Use Sites Pending Public Input Updated 11/08/2022

	JOINT USE SITE	ADDRESS	PLANNING AREA	CD	CITY ACRES	DIST ACRES	TOTAL ACRES	START DATE	TERM YEARS	EXPIRATION DATE
1	Adams Elementary	4672 35th St	Normal Heights	9	1.12	1.38	2.50	7/26/2022	25	7/25/2047
2	ALBA	4044 Idaho St	North Park	3	2.90	0.10	3.00	11/16/2021	25	11/15/2046
3	Alcott Elementary	4680 Hidalgo Ave	Clairemont	2	0.00	6.11	6.11	9/19/2006	25	9/13/2031
4	Angier Elementary	8450 Hurlburt St.	Serra Mesa	7	0.00	2.90	2.90	9/15/2015	25	9/15/2040
5	Audubon K-8	8111 San Vicente St	Skyline-Paradise Hills	4	0.00	2.13	2.13	10/20/2020	25	10/19/2045
6	Barnard Elementary	2445 Fogg St	Pacific Beach	1	0.00	5.60	5.60	10/16/2000	25	10/10/2025
7	Bird Rock Elementary	5371 La Jolla Hermosa Ave	La Jolla	1	0.70	1.09	1.79	5/3/2005	25	4/27/2030
8	Birney Elementary	4345 Campus Ave	Uptown	3	0.00	1.82	1.82	11/10/2009	25	11/4/2034
9	Cabrillo Elementary	3120 Talbot St	Peninsula	2	0.00	1.63	1.63	4/20/2021	25	4/19/2046
10	Cadman Elementary	4280 Avati Dr	Clairemont	2	0.48	3.16	3.64	9/19/2006	25	9/13/2031
11	Canyon Hills High	5156 Santo Road	Tierrasanta	7	0.00	5.66	5.66	9/12/2006	25	9/12/2031
12	Carson Elementary	6905 Kramer St	Linda Vista	7	0.00	1.80	1.80	9/19/2006	25	9/13/2031
13	Challenger Middle	10810 Parkdale Ave	Mira Mesa	6	0.55	7.75	8.30	7/26/2022	25	7/25/2047
14	Chavez Elementary	1404 S. 40th St	Southeastern	8	0.00	2.60	2.60	4/19/2022	25	4/18/2047
15	Cherokee Point Elementary	3735 38th St	City Heights	9	0.44	2.11	2.55	1/26/2004	25	1/25/2029
16	Chollas Mead Elementary	545 45th St	Encanto	4	0.00	3.45	3.45	10/31/2005	25	10/25/2030
17	Clark Middle	4388 Thorn St	City Heights	9	0.00	4.00	4.00	9/16/1997	25	9/15/2022
18	Clay Elementary	6506 Solita Ave	Eastern	9	0.00	3.68	3.68	5/3/2005	25	4/27/2030
19	CPMA Middle	5050 Conrad Ave	Clairemont	2	0.00	4.90	4.90	1/12/2021	25	1/11/2046
20	Crown Point Elementary	4033 Ingraham St	Pacific Beach	1	0.00	2.20	2.20	1/11/2005	25	1/10/2030
21	Cubberley Elementary	3201 Marathon Dr	Serra Mesa	7	0.00	3.65	3.65	1/12/2021	25	1/11/2046
22	Curie Elementary	4080 Governor Dr	University	6	0.00	3.69	3.69	12/9/2020	25	12/8/2045
23	Dailard Elementary	6425 Cibola Road	Navajo	7	0.00	2.98	2.98	12/13/2005	25	12/7/2030
24	Dana Middle	1775 Chatsworth Blvd	Peninsula	2	0.00	5.50	5.50	2/1/1999	25	1/31/2024
25	De Portola Middle	11010 Clairemont Mesa Blvd	Tierrasanta	7	0.00	14.48	14.48	10/10/2005	25	10/4/2030
26	Dingeman Elementary	10880 Scripps Poway Pkwy	Miramar Ranch North	5	5.25	0.65	5.90	11/16/2021	25	11/15/2046
27	Doyle Elementary	3950 Berino Court	University	6	0.00	4.07	4.07	1/11/2005	25	1/10/2030
28	EB Scripps Elementary	11801 Cypress Canyon Road	Miramar Ranch North	5	2.90	0.60	3.50	11/16/2021	25	11/15/2046
29	Edison Elementary	4077 35th St	City Heights	9	0.00	1.25	1.25	2/27/2007	25	2/21/2032
30	Encanto Elementary	822 65th St	Encanto	4	0.00	2.42	2.42	1/12/2021	25	1/11/2046
31	Ericson Elementary	11174 Westonhill Dr	Mira Mesa	6	0.00	5.44	5.44	12/13/2005	25	12/7/2030
32	Farb Middle	4880 La Cuenta Dr	Tierrasanta	7	0.00	4.65	4.65	4/20/2021	25	4/19/2046
33	Fay Elementary	4080 52nd St	City Heights	9	0.00	1.65	1.65	5/8/2007	25	5/1/2032
34	Field Elementary	4375 Bannock Ave	Clairemont	2	0.00	3.35	3.35	5/3/2005	25	4/27/2030
35	Fletcher Elementary	7666 Bobolink Way	Serra Mesa	7	0.00	4.97	4.97	5/3/2005	25	4/27/2030
36	Forward Elementary	6460 Boulder Lake Dr	Navajo	7	0.00	4.50	4.50	11/5/1999	30	10/4/2030
37	Franklin Elementary	4481 Copeland Ave	Kensington Talmadge	9	0.00	1.42	1.42	3/3/2010	25	2/25/2035
38	Gage Elementary	6811 Bisby Lake Ave	Navajo	7	0.00	7.05	7.05	1/12/2021	25	1/11/2046
39	Garfield Elementary	4487 Oregon St	North Park	3	0.00	0.70	0.70	2/27/2001	23	2/26/2024
41	Hage Elementary	9750 Galvin Ave	Mira Mesa	6	3.15	0.25	3.40	4/20/2021	25	4/19/2046
42	Hardy Elementary	5420 Montezuma Road	College Area	9	0.00	2.63	2.63	5/3/2005	25	4/27/2030
43	Hearst Elementary	6230 Del Cerro Blvd	Navajo	7	0.00	4.18	4.18	10/30/2000	25	10/29/2025
44	Horton Elementary	4990 Guymon St	Encanto	4	1.00	2.50	3.50	1/12/2021	25	1/11/2046
45	Ibarra Elementary	4877 Orange Ave	City Heights	9	0.00	2.78	2.78	10/31/2005	25	10/25/2030
46	Innovation Middle	5095 Arvinels Ave	Clairemont	2	0.00	4.47	4.47	10/20/2020	25	10/19/2045
47	Jefferson Elementary	3770 Utah St	North Park	3	0.00	1.46	1.46	3/8/2012	10	3/8/2022

48	Jerabek Elementary	10050 Avenida Magnifica	Scripps Miramar Ranch	5	0.00	3.68	3.68	1/11/2005	25	1/5/2030
40	Joyner (Griffith) Elementary	4271 Myrtle St	City Heights	9	0.00	2.10	2.10	9/19/2006	25	9/13/2031
49	Juarez Elementary	2633 Melbourne Dr	Serra Mesa	7	0.00	4.87	4.87	9/19/2006	25	9/13/2031
50	Kimbrough Elementary	321 Hoitt St	Southeastern	8	0.00	1.20	1.20	4/19/2022	25	4/18/2047
51	King-Chavez Academy	415 31st St	Southeastern	9	0.00	2.50	2.50	4/19/2022	25	4/18/2047
52	Kumeyaay Elementary	6475 Antigua Blvd	Tierrasanta	7	0.00	4.04	4.04	4/21/2003	25	4/14/2028
53	Language Academy	4961 64th St	College Area	9	0.00	1.46	1.46	7/26/2011	10	7/23/2021
54	Lewis Middle	5170 Greenbrier Ave	Navajo	7	0.00	9.58	9.58	1/11/2005	25	1/10/2030
55	Linda Vista Elementary	2772 Ulric St	Linda Vista	7	0.00	2.27	2.27	1/12/2021	25	1/11/2046
56	Longfellow K-8	5055 July St	Clairemont	2	0.00	1.42	1.42	10/20/2020	25	10/19/2045
57	Mann Middle	4345 54th St	Eastern	9	0.00	4.14	4.14	1/11/2005	25	1/10/2030
58	Marshall Middle	9700 Ave of Nations	Scripps Miramar Ranch	5	0.00	5.25	5.25	3/27/2007	25	3/27/2032
59	Marston Middle	3799 Clairemont Dr	Clairemont	2	0.00	2.90	2.90	1/11/2005	25	1/11/2030
60	Marvin Elementary	5720 Brunswick Ave	Navajo	7	0.00	3.87	3.87	1/12/2021	25	1/11/2046
61	Mason Elementary	10340 San Ramon Dr	Mira Mesa	6	0.00	1.12	1.12	12/13/2005	25	12/13/2030
62	McKinley Elementary	3045 Fenton St.	North Park	3	0.00	2.52	2.52	4/5/2016	25	4/5/2041
63	Mission Bay High	2475 Grand Ave	Pacific Beach	1	0.00	1.37	1.37	7/26/2022	25	7/25/2047
64	Montgomery Middle	2470 Ulric St	Linda Vista	7	0.00	3.50	3.50	11/11/2008	25	11/5/2033
65	Normal Heights Elementary	3750 Ward Road	Normal Heights	9	0.00	1.13	1.13	7/26/2022	25	7/25/2047
	Ocean Beach Elementary	4741 Santa Monica Ave	Ocean Beach	2	0.00	1.13	1.13	6/9/1997	25	6/8/2022
66	Pacific Beach Elementary	1234 Tourmaline St	Pacific Beach	1	0.00	1.80	1.80	10/14/2003	25	10/7/2028
67	Pacific Beach Middle		Pacific Beach	1	0.00	2.60	2.60	4/20/2021	25	4/19/2046
68		4676 Ingraham St								
69	Penn Elementary	2797 Utica Dr	Skyline-Paradise Hills	7	0.00	3.08	3.08	10/24/2005	25	10/24/2030
70	Pershing Middle	8204 San Carlos Dr	Navajo	4	0.00	10.00	10.00	2/13/2018	10	2/12/2028
71	Porter Elementary	445 South 47th St	Encanto		0.00	3.05	3.05	10/31/2005	25	10/31/2030
72	Rodriguez Elementary	825 South 31st St	Southeastern	8	0.00	2.49	2.49	10/31/2005	25	10/31/2030
73	Rolando Park Elementary	6620 Marlowe Dr	Eastern	9	0.00	5.40	5.40	10/20/2020	25	10/19/2045
74	Roosevelt Middle	3366 Park Blvd	Balboa Park	3	0.89	2.05	2.94	7/26/2022	25	7/25/2047
75	Rosa Parks Elementary	4380 Landis St	City Heights	9	5.50	0.00	5.50	11/16/2021	25	11/15/2047
76	School of Creative & Performing Arts		Skyline-Paradise Hills	4	0.00	7.80	7.80	4/20/2021	25	4/19/2046
77	Sequoia Elementary	4690 Limerick Ave	Clairemont	2	0.00	4.90	4.90	4/19/2022	25	4/18/2047
78	Sherman Elementary	301 22nd St	Southeastern	8	0.00	1.44	1.44	10/20/2020	25	10/19/2045
79	Spreckels Elementary	6033 Stadium St	University	6	0.00	4.99	4.99	2/24/2020	25	2/23/2045
80	Standley Aquatic Facility	3605 Governor Dr	University	6	0.07	0.61	0.68	2/24/2020	15	2/23/2035
81	Standley Middle	6298 Radcliff Dr	University	6	0.00	12.58	12.58	2/24/2020	25	2/23/2045
82	Tierrasanta Elementary	5450 La Cuenta Dr	Tierrasanta	7	0.00	1.49	1.49	12/13/2005	25	12/13/2030
83	Torrey Pines Elementary	8350 Cliffridge Ave	La Jolla	1	0.00	3.00	3.00	6/12/2001	23	6/11/2024
84	Tubman Village Charter	6880 Mohawk St	College Area	9	0.00	1.78	1.78	1/12/2021	25	1/11/2046
85	Valencia Park Elementary	5880 Skyline Dr	Encanto	4	0.00	6.78	6.78	9/19/2006	25	9/13/2031
86	Vista Grande Elementary	5606 Antigua Blvd	Tierrasanta	7	0.00	2.56	2.56	6/20/2005	25	6/14/2030
87 & 88	Wangenheim Middle and Walker ES	9225 Hillery Dr & 9230 Gold Coast	Mira Mesa	6	0.00	15.80	15.80	10/5/2021	25	10/4/2046
89	Wegeforth Elementary	3443 Ediwhar Ave.	Serra Mesa	7	0.00	3.26	3.26	10/21/2014	25	10/20/2039
90	Zamarano Elementary	2655 Casey St	Skyline-Paradise Hills	4	0.00	2.00	2.00	4/1/2003	25	3/31/2028

Totals 24.95 314.94 339.89



Play all day parks program

The Play All Day Parks Program is a new initiative put forth by the City of San Diego Mayor's Office and the Superintendent of the San Diego Unified School District in 2016 to break ground on over 45 new joint-use park sites in the next 5-10 years.



To create public recreation opportunities in San Diego neighborhoods through a joint-use partnership between the San Diego **Unified School** District and the City of San Diego.

Over 45 new joint-use





CITY AND SCHOOLS WORKING TOGETHER

The commitment to build over 45 new joint-use parks is an ambitious goal made possible by strong collaboration between the City of San Diego and San Diego Unified to expand recreational opportunities. The initiative strengthens the long-standing partnership between the City and San Diego Unified to maximize shared use of public facilities and resources for educational and community use. The new park facilities will be opened on existing school sites and constructed with both the City and Propositions S and Z bond funding. The City will commit to operate and maintain the new park facilities.



PURPOSE

Creative and innovative measures like the Play All Day partnership are essential in order to expand the current park and recreation system.

The City of San Diego has an extensive park system with over 41,000 acres of parkland, and is home to some of the largest and most unique parks in the country. Millions of residents and tourists visit our parks each year.

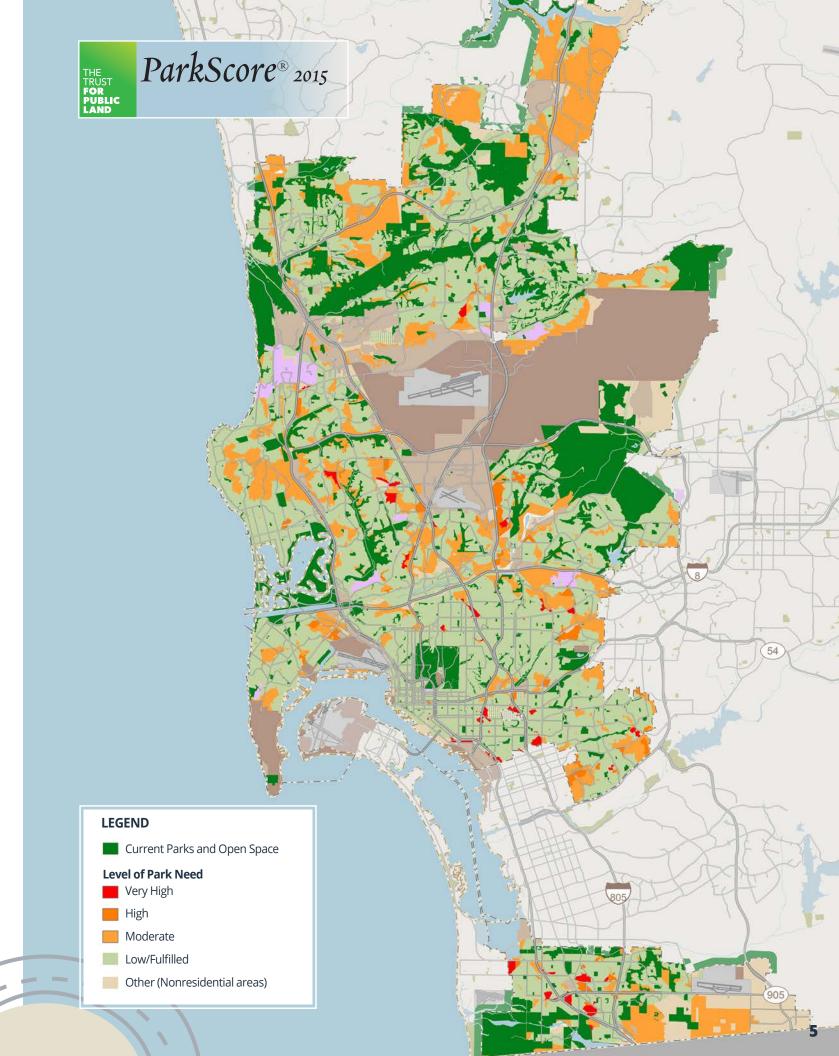
Research shows that people receive the most benefit from local parks and open space that are in close proximity to their homes. According to the Trust for Public Land, 23% of the population in San Diego currently live further than a 10-minute walk to a park or recreational facility.



Walkable parks and open space strengthen our communities, improve physical and psychological health, and make communities and neighborhoods more attractive places to live and work. One of the biggest challenges San Diego faces in building new parks is the limited amount of available land.

partnerships with schools fill an essential gap in addressing the City's need for more park land and additional recreational opportunities in our communities.

23% of
San Diego
residents currently
live further than
10-minute walk
to a park or
green space.



BENEFITS

Designating school sites for community recreational use during non-school hours increases access to recreational opportunities.

Schools are the center point of the communities that surround them. Children participate in physical education and recreational activities in school yards during school hours, but there are opportunities for community use when school isn't in session.

Agencies and governments across the country are identifying joint-use school sites as opportunities in our communities. The benefits include:

Provide a place for physical activity

Strong evidence shows that when people have nearby access to parks, they exercise more. Regular **physical activity** has been shown to increase health and reduce the risk of a wide range of diseases, including heart disease, hypertension, colon cancer and diabetes. Physical activity also relieves symptoms of depression and anxiety, improves moods, and enhances psychological well-being.



The more children are active, the healthier they will be now and when they grow up.



Provide environmental benefits

Trees and other vegetation in parks reduce air and water pollution, help keep cities cooler and are a cost-effective way to manage storm water runoff. **Environmental benefits** include ground water recharge areas, storm water protection, reductions in heat island effects, and increased carbon uptake from trees and vegetation. Turf fields allow for water recharge into native soils and can provide a filtering effect for storm water pollutants.

Produce opportunities for social and community interactions.

Parks produce important **social and community benefits**. They make urban neighborhoods more livable, offer recreational opportunities for at-risk youth, children and families, and provide places in neighborhoods where people can feel a sense of community. Access to public parks and recreational facilities has been strongly linked to reductions in crime and, in particular, to reduced juvenile delinquency.







WHAT IS JOINT-USE?

Joint-use is when school property is utilized for public use when school is not in session. Currently, San Diego maintains 76 joint-use facilities in partnership with San Diego Unified School District and there are over 45 joint-use parks planned for the future.

The City of San Diego and San Diego Unified entered into their first joint-use agreement in 1948.

The Play All Day joint-use parks will include a turfed multi-purpose field and a walking track. Most of the joint-use parks will also include paved hardcourts, playground equipment, off-street parking or a combination of these amenities. Each school site is unique and has different constraints and opportunities.

In 1948
the first
joint-use park
in San Diego
was
established.



FUNDING OPPORTUNITIES

Propositions S and Z, approved by San Diego voters in 2012, are San Diego Unified bond measures that created funding for capital improvement projects to repair, renovate and revitalize school sites. The District is using a portion of these funds to construct new turf fields at school sites that do not already have turf fields. At the present time, the City has a unique opportunity to partner with the District to produce joint-use

The City utilizes Development Impact Fees (DIF) collected in specific communities to fund the design and construction of the City-led joint-use projects.

In all cases, the City will provide maintenance and will operate the joint-use facilities during non-school hours.

facilities utilizing Proposition S and Z funds.



is partnering with San Diego Unified to use Prop Z funds to develop joint-use fields.



GUIDING PRINCIPLES FOR PARK SELECTION

The determination to jointly use the selected school sites were made in partnership with the school district. A number of factors were evaluated based on the specific merits of each site. The following guiding principles were taken into account in the selection of the Play All Day joint-use park sites:

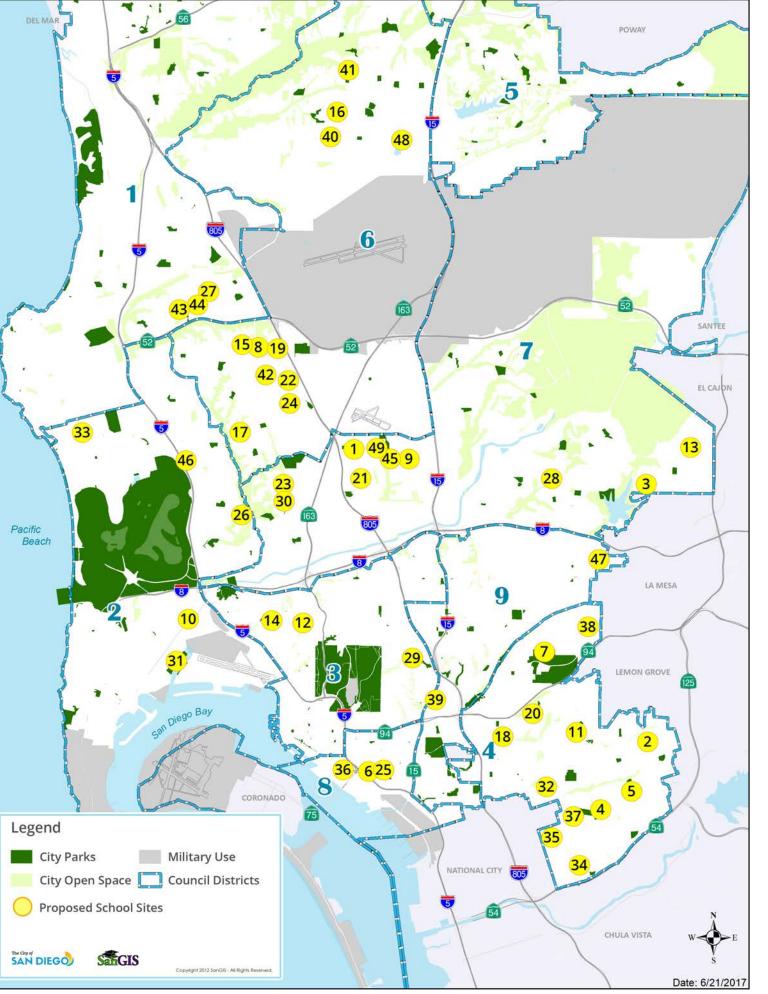
- Pre-identified for school district funding
- On the school district's schedule for implementation
- Identified in the Community Plan or Facilities Finance Plan as a future joint-use park
- Located in park-deficient communities



PROPOSED PLAY ALL DAY PARK SITES

1	Angier Elementary	18	Horton Elementary	35	Paradise Hills Elementary			
2	Audubon Elementary	19	Innovation Middle	36	Perkins Elementary			
3	Benchley/ Weinberger Elementary	20	Johnson Elementary	37	Perry Elementary			
4	Bethune K-8	21	Jones Elementary	38	Rolando Park Elementary			
5	Boone Elementary	22	Lafayette Elementary	39	Rowan Elementary			
6	Burbank Elementary	23	Linda Vista Elementary	40	Salk Elementary			
7	Carver Elementary	24	Lindbergh-Schweitzer Elementary	41	Sandburg Elementary			
8	CPMA Middle	25	Logan/Memorial K-12	42	Sequoia Elementary			
9	Cubberley Elementary	26	Longfellow Elementary	43	Spreckels Elementary			
10	Dewey Elementary	27	Marie Curie Elementary	44	Standley Middle			
11	Encanto Elementary	28	Marvin Elementary	45	Taft Middle			
12	Florence Elementary	29	McKinley Elementary	46	Toler Elementary			
13	Gage Elementary	30	Montgomery Middle	47	Tubman Charter			
14	Grant K-8	31	NTC Pool	48	Wangenheim Middle			
15	Hawthorne Elementary	32	Nye Elementary	49	Wegeforth Elementary			
16	Hickman Elementary	33	Pacific Beach Elementary					
17	Holmes Elementary	34	Pacific View Elementary					





CONCLUSION

With a partnership between the City and San Diego Unified,

San Diego can maximize public resources, employ efficient land-use strategies, and rapidly increase the amount of park land available for public use and enjoyment.

Joint-use agreements are a win-win-win opportunity for all. San Diego Unified retains the land and receives assistance maintaining



their joint-use sites, the City secures additional park land and park sites, and the public has better access and more opportunity to enjoy and participate in recreational opportunities in their neighborhoods.

Working together, we can provide a place for physical activity, increase the value of neighborhood residential property, provide environmental benefits, and create places where community members can develop social ties, share experiences, and build community bonds.





