



## WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

7-11 Committee Meeting

September 17, 2024

6:00 PM

**Staff:** Luis Freese (Associate Superintendent, Operations)

**Agenda Documentation:** Committee meeting agendas are available for review at the Facilities Operations Center (1400 Marina Way S, Richmond, CA 94804) and online at <http://www.wccusd.net>.

Documents that are public records will be made available for public inspection in the District office located at 1400 Marina Way S, Richmond, CA 94804, during regular business hours. In addition, such writings and documents may be posted on the District's website when the agenda is posted.

[District Committees webpage \(https://www.wccusd.net/domain/1445\)](https://www.wccusd.net/domain/1445)

[District 7-11 Committee webpage \(https://www.wccusd.net/Page/15623\)](https://www.wccusd.net/Page/15623)

**Meeting Location:** 1400 Marina Way S Richmond, CA

You can attend the meeting in person. The meetings are also broadcast via Zoom using the following link:

**By computer, please click the link below to join the webinar:**

<https://wccusd.zoom.us/j/96114623120>

**Or Telephone:** (669) 444 9171

Webinar ID: 961 1462 3120

### **Participating in Committee Meetings:**

The public will have different opportunities to address the Committee. The public can address the Committee during Public Comment and before an Action or Discussion item. The public can provide public comment in person, through the Zoom app, and by telephone. Public Comment will last approximately 10 minutes. The time allotted for each speaker is 2 minutes. If you are attending the meeting in person, you will need to submit a Request to Address the Board form to indicate your desire to speak during public comment on a non-agenda item before the item begins on an agenda item. If participating via Zoom, you will need to "raise your hand" by clicking on the appropriate icon in the Zoom app or by pressing \*9 if accessing the meeting by phone. No "Yielding of time" or Substitution of Speaker" is permitted. The public will have an opportunity to make public comments on agenda items after the presentation for each discussion and action item. The time allotted for public comment on each action or discussion item and items not discussed on the agenda will be no more than 10 minutes and 2 minutes per speaker.

Due to the Brown Act, Committee members cannot discuss items not on the agenda and do not usually respond to items presented in Public Comment.

Special Accommodations: Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Facilities Office at 510-307-4545 at least 48 hours in advance of meetings.

**Order of Business:** ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE

### MEETING AGENDA

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#### **A. OPENING PROCEDURES (20 minutes)**

##### **A.1 Call to Order**

##### **A.2 Land Acknowledgement**

We recognize that we are presently on the lands of the Chochenyo, Muwekma, Karkin, Ohlone peoples and acknowledge them as the first inhabitants of the land we currently occupy.

Labor and Body Recognition

I acknowledge that the burden of environmental exploitation and systemic injustice falls upon the labor of Black and Brown bodies in the building of this country and its institutions. I remember that Black and Brown people were born and died working this land against their will for generations.

I also acknowledge the continued contribution of the labor of survivors - over the centuries to today - of all immigrant labor, including voluntary, involuntary, trafficked, forced, and undocumented peoples in the building of what we refer

to as the "United" States.

Author: Dr. Rachele Rogers-Ard

**A.3 Approval of Agenda**

**A.4 Approval of Meeting Minutes: July 16, 2024**

**C. PUBLIC COMMENT (10 minutes)**

**C.1 Public Comment**

Members of the public are invited to speak on any matter related to the 7-11 Committee at this time. Members of the public may speak on individual items of interest in the agenda as the items are discussed.

**D. DISCUSSION ITEMS (30 minutes)**

**D.1 Updates on Workforce Housing & WCCUSD Resolutions on Workforce Housing & Prop 2**

**Presenter: James Sanders**

Brief presentation on the State Superintendent's Housing Summit, District Resolution #2425-22 Resolution in Support of Education Workforce Housing & Resolution 2425-11: In Favor of Proposition 2.

**D.2 Presentation of Property Exchange**

**Presenter: Phil Henderson, Orbach Huff & Henderson**

Brief presentation of property exchange.

**E. ACTION ITEMS (60 minutes)**

**E.1 Review Draft Report for Facilities Advisory "7-11" Committee to the Board of Education.**

**Presenter: Melissa Payne, WCCUSD**

**a. Discussion and action to adopt Draft Report.**

Committee members may review, discuss, and potentially take action on the Draft Report.

**E.2 Calendar for future Meeting Dates. Presenter: Melissa Payne, WCCUSD**

**a. Discussion and action to adopt Future Committee Meeting and Public Hearing Dates.**

Committee members may discuss future meeting dates.

Potential Public Hearing Locations:

Property: Adams / Portola

Proposed Location: El Cerrito HS

Property: Harmon Knolls / Seaview

Proposed Location: Helms MS



# WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

## 7-11 COMMITTEE

### MINUTES OF MEETING JULY 16, 2024

The District's video link to this meeting can be found here:  
<https://www.youtube.com/watch?v=Ba8ZRBL3BtM>

The regularly scheduled meeting of the West Contra Costa Unified School District's (WCCUSD) 7-11 Committee was held at the WCCUSD Facilities Building (1400 Marina Way South) on Tuesday July 16<sup>th</sup>, 2024. The meeting was called to order at 6:04 PM by 7-11 Committee Vice Chair Arto Rinteela.

**A.1** ~ The **ROLL CALL** of attendees showed the following:

#### **PRESENT**

Jim Sanders (Chair)  
[REMOTE LOCATION]  
Arto Rinteela (Vice Chair)  
Guadalupe Enllana  
Summer Sigler  
Don Gosney

#### **ABSENT**

Samantha Torres (Secretary)  
(arrived remotely at 7:11 PM)  
Liz Garay

#### **ALSO IN ATTENDANCE**

Luis Freese (Associate Superintendent ~ Operations)  
Melissa Payne (Executive Director of Contracts Administration)  
Phil Henderson (Attorney w/Orbach-Huff)

**WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT**

**7 - 11 COMMITTEE**

With four of the seven appointed 7-11 Committee members in attendance in person, a quorum was confirmed.

**A.2 ~ LAND ACKNOWLEDGEMENT**

Vice Chair Rinteela offered any committee member the opportunity to read the land acknowledgement. Jim Sanders accepted the offer.

With Committee Secretary Torres not in attendance, Chair Rinteela asked Mr. Gosney to accept the role of notetaker for this meeting. With no objections, Mr. Gosney accepted.

**A.3 ~ APPROVAL OF AGENDA**

With no objection the agenda was approved. **MOTION** made by Don Gosney and seconded by Summer Sigler.

**A.4 ~ APPROVAL OF MEETING MINUTES**

The minutes from the meetings of March 5<sup>th</sup>, March 19<sup>th</sup>, March 26<sup>th</sup>, June 11<sup>th</sup> and June 25<sup>th</sup> were considered for adoption.

**MARCH 5<sup>th</sup>**

Mr. Gosney voiced his ongoing concerns about any minutes commonly referred to as ACTION MINUTES that did not reflect any content and what actually happened at the meeting.

Ms. Enllana expressed concerns about the fact that the agenda packet included multiple sets of minutes from the same meetings.

With Mr. Sanders seconding, Ms. Sigler made a **MOTION** to approve the minutes of the March 5<sup>th</sup> meeting. The roll call vote showed Mr. Sanders and Ms. Sigler voting to approve the motion and Mr. Rinteela, Ms. Enllana and Mr. Gosney voting to disapprove the motion. **MOTION FAILED.** Chair Rinteela stated that Mr. Gosney would redraft the minutes of March 5<sup>th</sup>.

**WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT**

**7 - 11 COMMITTEE**

**MARCH 19<sup>th</sup>, MARCH 26<sup>th</sup>, JUNE 11<sup>th</sup>**

With Ms. Sigler seconding, Ms. Enllana made a **MOTION** to accept the minutes of March 19<sup>th</sup>, March 26<sup>th</sup> and June 11<sup>th</sup>. The roll call vote showed Mr. Sanders and Ms. Sigler voting to approve the motion and Mr. Rinteela, Ms. Enllana and Mr. Gosney voting to disapprove the motion. **MOTION FAILED.**

With Mr. Sanders seconding, Ms. Enllana made a **MOTION** to have Mr. Gosney redraft the minutes from the meetings of March 5<sup>th</sup>, March 19<sup>th</sup>, March 26<sup>th</sup> and June 11<sup>th</sup>. With no objections the **MOTION WAS APPROVED.**

**JUNE 25<sup>th</sup>**

With Ms. Enllana seconding, Mr. Gosney made a **MOTION** to accept the minutes that he submitted and reject the minutes that Ms. Dunning submitted.

With Mr. Sanders seconding, Ms. Enllana made a **MOTION** to approve the minutes of the meeting of June 25<sup>th</sup> submitted by Mr. Gosney with the following text to be struck through:

~~“Chair Sanders suggested that Mr. Gosney did not have the authority to claim that he was a representative of the public.”~~

Ms. Sigler made a **MOTION** to revisit these minutes at the next 7-11 Committee meeting. The **MOTION DIED FOR LACK OF A SECOND.**

Ms. Enllana’s motion was passed with Ms. Enllana, Mr. Sanders, Ms. Sigler and Mr. Rinteela voting to approve the motion and Mr. Gosney voting against approval of the motion. The **MOTION WAS APPROVED.**

There was no solicitation of public comment.

**WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT**

**7 - 11 COMMITTEE**

**C.1 ~ PUBLIC COMMENT**

Ms. Vivian Williamson from the UC Master Gardener of Contra Costa County requested that the record reflect a correction to a comment that she had made at the meeting of June 25<sup>th</sup> about the amount of land that her group was hoping to acquire. She stated that her group was ONLY looking for one half of an acre.

**E.1 ~ REVIEW DRAFT REPORT FOR FACILITIES ADVISORY  
“7-11” COMMITTEE TO THE BOARD OF EDUCATION.**

Ms. Payne presented the updated red-lined version of the Draft Report with the red lined sections indicating those amendments pursuant to the adjustments called for by the Committee at the previous meetings.

To clarify things, Ms. Payne stated that the version that was included in the agenda packet was the original version with the red-lined version available for distribution at the meeting.

Mr. Gosney voiced his concerns that when the public reviewed the agenda packet, they were not privy to this red-lined version available only by attending this meeting in person.

Ms. Payne replied that the Brown Act requirements had been met.

Chair Rinteela that, to be transparent with the public, he would feel more comfortable if the public had a chance to review the red-lined version before the Committee took action on the contents. Mr. Rinteela suggested deferring action until the next meeting. Ms. Payne agreed to defer.

Mr. Sanders expressed a desire to continue the discussion of the report on those items not yet addressed so progress could be made. Mr. Gosney pointed out that the red lines only went as far as those items already discussed but from that point forward, what was sent out in the packet was identical to what had been distributed to the

**WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT**

**7 - 11 COMMITTEE**

Committee. He recommended that the Committee continue from that point forward. With no objections, Chair Rinteela directed the discussion to focus on those parts of the report not yet addressed.

Ms. Payne reminded the Committee that they had left off at Section VIII. LEGAL DEFINITIONS INFORMING THE 7-11 COMMITTEE'S WORK.

**AT 6:41 PM CHAIR RINTEELA PAUSED THE MEETING FOR 5 MINUTES TO ALLOW THE PARTICIPANTS TO REVIEW THE MATERIALS. THE MEETING RESUMED AT 6:48 PM.**

- When questioned by Mr. Sanders whether the Committee is required to follow the “highest and best use” consideration, Mr. Henderson replied that the Committee is not bound to do so. He said that the Committee is charged with recommending what the most appropriate use. He also pointed out that the Board of Education is also not bound to follow the “highest and best use” consideration. He continued that “highest and best use” should be a goal but community uses and missions for the District that may come into play may also be considered irrespective of economic considerations.
- Chair Rinteela expressed concerns that the concept of trading or swapping the properties has not been addressed. Mr. Henderson replied that it had been brought up earlier. It was explained, however, that this was brought up several years prior with a presentation by Associate Superintendent Tony Wold at a Board meeting approximately 5 years before the bulk of these Committee members were appointed. Chair Rinteela recommended that some language about exchanging properties be included.
- Mr. Gosney expressed concerns about Section X METHOD OF PUBLIC NOTIFICATION OF THE 7-11 COMMITTEE

# WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

## 7 - 11 COMMITTEE

HEARING. Mr. Gosney suggested that the District do a better job of reaching out to the community. In particular, he suggested

- Social Media including Facebook and NextDoor
  - Neighborhood Councils in Richmond
  - Local online newspapers such as Richmond Standard, Richmondside, The Grandview Independent and Radio Free Richmond
  - The Hercules/Pinole and the El Cerrito Patches
  - City Manager reports (all five cities and two Supervisors)
  - Notifications at the School Board meetings
- Under Section XI. DRAFT 7-11 COMMITTEE FINDINGS AND RECOMMENDATIONS TO THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION under subsection E, Mr. Gosney expressed concerns with “Affordable housing options can attract talented educators and staff to the District and encourage them to stay long-term, reducing turnover rates.” His concern was that this appeared to be an argument in support of a particular reuse option when there were no such arguments for or against any other reuse option. It was agreed to strike that sentence.
- Under ADVISORY COMMITTEE RECOMMENDATIONS TO THE BOARD
- For consistency purposes, Mr. Gosney suggested replacing “Advisory Committee” “7-11 Committee”. The Committee was in agreement.
- Under subsection B.1, Chair Rinteela recommended that “...the Board not surplus the...” be replaced with “...the Board **NOT** surplus the...”.
- Ms. Enllana expressed concerns about whether a site could be repurposed for workforce housing without being declared surplus. Mr. Henderson replied that recent legislation clarified that this was not a requirement. Ms. Enllana then asked about whether a site could

# WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

## 7 - 11 COMMITTEE

be divided with part of the site being used for workforce housing and the rest of the site declared surplus and used for mixed use housing. It was agreed to insert appropriate language reflecting that wherever appropriate.

### **Samantha Torres joined the meeting via ZOOM at 7:11 PM.**

- Under subsection C.1, Mr. Gosney suggested including language about consideration of an easement at the Sea View site for the use of the Bay Trail. It was agreed to replace “or a portion thereof, as” with “or a portion thereof (approximately 0.75 acres), as”.
- Under subsection D.5, replace the phrase “...that a portion of...” with “...that a portion (approximately 0.5 acres) of...”.
- Mr. Sanders suggested that in Appendix B it needs to address the total student population with trends that included students attending WCCUSD schools as, WCCUSD chartered school as well as County chartered schools. Mr. Sanders wanted to ensure that data provided by the State be included to show the trends in future demands for the District’s schools. Mr. Gosney suggested that the discussion of this issue be held off until the actual data is provided.
- Mr. Gosney suggested that the amended red-lined version of this report be shared with the Committee so comments and viewpoints be shared before the next meeting. Mr. Henderson explained that any discussion of this red-lined report outside of the public meeting would be a Brown Act violation.

There was no solicitation of public comment.

### **E.2 ~ CALENDAR FOR FUTURE MEETING DATES**

With no objections, the next two scheduled meetings are August 13<sup>th</sup> and August 27<sup>th</sup>.

Mr. Gosney reiterated his desire for a presentation about exchanging properties.

**WEST CONTRA COSTA  
UNIFIED SCHOOL DISTRICT**

**7 - 11 COMMITTEE**

There was no solicitation of public comment.

Ms. Torres reported that she had submitted minutes to the Chair on Monday July 15<sup>th</sup> and asked about the status of the rest of the meeting minutes.

With no other business before it, the meeting was adjourned at 7:47 PM.

**DRAFT MINUTES SUBMITTED BY DON GOSNEY**

**DRAFT**



State Superintendent  
Tony Thurmond

# 75,000 ACRES:

## How Our Schools Can Rebuild the California Dream

COMBINED, CALIFORNIA'S SCHOOLS OWN:

# 7,068

DEVELOPABLE PROPERTIES OF ONE ACRE OR MORE, TOTALING 75,000 ACRES.

# 61%

ARE IN AREAS WHERE TEACHERS STRUGGLE TO AFFORD HOUSING.

IF DEVELOPED, THESE PROPERTIES COULD ADD

# 2.3m

HOUSING UNITS TO CALIFORNIA.

Source: California School Boards Association

### How California's schools can make up for our state's housing shortfall, helping to retain educators and families:



In order to address the housing crisis, California needs to add **2.5 million units** over the next eight-year cycle.

If only 30 units were built on each acre owned by schools, that would add **2.3 million units** to California's housing supply.

Learn more about the **75,000 acres of developable land** owned by California's local educational agencies (LEAs).

#### Explore here:



**Searchable map** of current LEA housing projects, tracked by CSBA



**Property lookup tool**, from the Center on Cities + Schools at UC Berkeley

This plan builds upon existing legislation, including Superintendent Thurmond's legislative record of creating policies to accelerate affordable housing development for educators and families.

As Californians, we have the resources and ingenuity to rebuild the California Dream. To share suggestions or action steps, or to volunteer for the Superintendent's Housing Task Force, email [Initiatives@cde.ca.gov](mailto:Initiatives@cde.ca.gov).

**West Contra Costa Unified School District  
Resolution No. 2425-22**

Resolution In Support Of Education Workforce Housing (Ewh) In West Contra Costa Unified  
School District And  
Consider Participation In (Csba) California School Board Association Workshop Series On Ewh

WHEREAS the West Contra Costa County Unified School Board believes all students deserve the highest quality education, which shall include attracting and retaining the best, brightest and most qualified teachers and support staff, despite the severe teacher/educator shortage.

WHEREAS , according to a recent UC Berkeley study entitled Education Workforce Housing in California: Developing the 21st Century Campus (Education Workforce Housing in California)

<https://citiesandschools.berkeley.edu/major-initiatives/education-workforce-housing/> the growing interest in building workforce housing comes amidst two intertwined crises in California: Strong challenges in teacher recruitment and retention, and challenges which stem from low salary and benefits.

WHEREAS, nationally, 35 percent of educators are considered rent-burdened, the problem is especially pronounced in California where teacher salaries have been unable to keep up with the worsening housing crisis as costs to rent and buy homes soar across the state. Rent-burdened is defined as paying more than 30 percent of their income as rent, and the problem is even more pronounced among Black and Latino teachers, according to the report.

WHEREAS the teacher shortage is a multilayer problem with varying solutions, such as: providing hiring bonuses; Second Adult in the classroom; paying tuition costs to complete required credentials; student loan debt assistance; childcare onsite, scholarships to pursue National Board Certification program, etc, it is the rising housing costs that prevent school staff to be able to live in the area where they are employed.

WHEREAS, the WCCUSD Board wishes to express its support of future workforce housing that would provide much-needed affordable housing for District employees within close proximity to the District's schools to assist in the recruitment, retention, and quality of life of District employees, thereby enhancing the District's ability to deliver its educational programs to the students.

WHEREAS State legislative action in recent years has paved the way for more housing development on school lands, including: The Teacher Housing Act of 2016 (Senate Bill 1413, Leno) AB 1157 (Mullin) passed in 2017, SB 2 (Atkins), the Building Homes and Jobs Act, passed in 2017, AB 305 (O'Donnell), approved by Governor Newsom in July 2021.

WHEREAS AB 2295 (Bloom) approved in Sept 2022, and effective 1/1/2024; provides that a housing development project is an allowable use on any real property owned by a local educational agency (LEA) so long as certain requirements are satisfied.

WHEREAS Assemblymember Tony Thurmond (currently serving as California’s State Superintendent of Public Instruction) worked to provide funding to LEAs to build workforce housing; Thurmond authored AB 2200 (2016), AB 45 (2017), and AB 2788 (2018) and in a recent CDE Housing webinar committed to providing financial assistance for pre-development, etc.

WHEREAS the Contra Costa County Department of Conservation and Development identified property in the West Contra Costa USD as suitable for housing in the county’s 6th Cycle Housing Element and committed to provide technical assistance to other public agencies to develop housing,

WHEREAS Contra Costa County’s Measure X Funds, Housing funds can be obtained, through a competitive process, for pre-development purposes, in addition to funds from other government sources which are earmarked for housing.

THEREFORE, BE IT RESOLVED THAT The West Contra Costa USD Board pledges its commitment to pursue and advance the development of Education Workforce Housing within the WCCUSD district boundaries.

BE IT FURTHER RESOLVED THAT this support will include applying for the CSBA 2025 Cohort for Education Workforce Housing workshop series.

<https://csba.org/workforcehousing#gsc.tab=0>

And forming a team which could join the 2025 Cohort Education Workforce Housing workshop series. <https://csba.org/workforcehousing#gsc.tab=0> This workshop team may be composed of the superintendent, district and county Board members, facilities staff, and other community partners to further research EWH possibilities within WCCUSD and to develop peer learning networks and partnerships.

WEBSITE TO APPLY: <https://csba.org/workforcehousing#gsc.tab=0>

**PASSED AND ADOPTED** by the Board of Education of the West Contra Costa Unified School District on this eleventh day of September 2024, by the following vote:

AYE’s \_\_\_\_\_

NO’s \_\_\_\_\_

ABSTAIN \_\_\_\_\_

ABSENT \_\_\_\_\_

***I HEREBY CERTIFY*** that the foregoing resolution was duly and regularly introduced, passed, and adopted by the Board of Education of the West Contra Costa Unified School District, Contra Costa County, at a meeting of said Board on September 11, 2024.

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President, Governing Board  
West Contra Costa Unified School District

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Clerk, Governing Board  
West Contra Costa Unified School District

**West Contra Costa Unified School District**

**Resolution No. 2425-21**

**In favor of Proposition 2: Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024**

**WHEREAS**, the California Constitution declares public education is a state responsibility in Article IX Section 5; and

**WHEREAS**, the state is out of school facility program funds and cannot provide its match for almost \$3.5 billion in local projects that qualify for state aid; and

**WHEREAS**, the West Contra Costa Unified School District has more than \$2 billion in facility need which may be partially funded by State bonds; and

**WHEREAS**, Proposition 2, the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024, would provide funding for the renovation of aging schools; upgrading existing classrooms; construction of new classrooms to accommodate growth; career technical education facilities to provide job training to meet the workforce needs of California employers; testing and remediation of lead levels in water at school sites; disaster assistance; replacement of 75-year-old buildings, adding essential facilities like libraries and multipurpose rooms; mitigating the effects of higher average temperatures; and assistance for small and low-wealth school districts; and

**WHEREAS**, research demonstrates that the physical school environment has a tremendous impact on student health as well as academic performance, behavior, and overall well-being; and

**WHEREAS**, school districts need state financial support to implement new mandates and initiatives such as universal Transitional Kindergarten, Expanded Learning, on-site cooking and meal preparation, and solar power generation and storage; and

**WHEREAS**, the California unemployment rate is greater than the national unemployment rate; and

**WHEREAS**, 13,000 middle class jobs are created for each \$1 billion in school facility infrastructure investment; and

**WHEREAS**, these jobs will be created throughout California and will include almost all building trades; and

**WHEREAS**, the Local Control Funding Formula provides funding for educational services for all students, but does not provide dedicated facilities funding; and

**WHEREAS**, California students require facilities that meet the demands of a contemporary education; provide safe, secure, and healthy environments with modern technology; hands-on learning and career-tech opportunities; proper ventilation; and energy efficiency; and

**WHEREAS**, funding for the state’s school facilities program is exhausted, leaving no system of support for local educational agencies seeking to reinvigorate or improve old facilities or to build new ones; and

**WHEREAS**, Proposition 2, will not raise state taxes, but will enhance public accountability and transparency for the use of its proceeds, and will provide matching funds that will reduce the need for additional local property taxes for school facilities;

**NOW THEREFORE BE IT RESOLVED**, that the governing board of the West Contra Costa Unified School District supports Proposition 2, the Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024, to provide much-needed funding for school modernization and new construction to provide students with facilities that promote academic achievement, well-being and preparation for college, career, and civic life.

***PASSED AND ADOPTED*** by the Board of Education of the West Contra Costa Unified School District on this eleventh day of September 2024, by the following vote:

AYE’s \_\_\_\_\_ NO’s \_\_\_\_\_ ABSTAIN \_\_\_\_\_ ABSENT \_\_\_\_\_

***I HEREBY CERTIFY*** that the foregoing resolution was duly and regularly introduced, passed, and adopted by the Board of Education of the West Contra Costa Unified School District, Contra Costa County, at a meeting of said Board on September 11, 2024.

\_\_\_\_\_  
President, Governing Board  
West Contra Costa Unified School District

\_\_\_\_\_  
Clerk, Governing Board  
West Contra Costa Unified School District

Version 1.4 as of 9/14/2024

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# WCCUSD

## WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

### Report of the Facilities Advisory "7-11" Committee To the Board of Education

7-11 Committee Adoption: TBD  
Board Consideration: TBD

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### BOARD OF TRUSTEES

Jamela Smith-Folds, President, *Trustee Area 1*  
Otheree Christian, *Trustee Area 2*  
Mister Phillips, *Trustee Area 3*  
Demetrio Gonzalez Hoy, Clerk, *Trustee Area 4*  
Leslie Reckler, *Trustee Area 5*

### ACTIVE 7-11 COMMITTEE MEMBERS

Effective January 24, 2024

James Sanders, Chair  
Arto Rinteela, Vice Chair  
Samantha Ann Torres, Secretary  
Guadalupe Enllana  
Summer Sigler  
Don Gosney  
Liz Garay

### PREVIOUS 7-11 COMMITTEE MEMBERSHIP

Effective September 7, 2022

Diana Perez Cruz, Don Gosney, Doreen Chand, James Henry-Sanders, Jivanta Wagli,  
Samantha Ann Torres, Summer Sigler, Trey Holland

Effective January 26, 2022

Celina Hernandez Perez, Daniel Mariah Scott, Diana Perez Cruz, Don Gosney,  
Doreen Chand, James Alexander Watt, James Henry-Sanders, Jivanta Wagli,  
Samantha Ann Torres, Summer Sigler, Trey Holland

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## ADVISORY SUPPORT and DISTRICT STAFF

Dr. Kenneth Hurst Sr.  
Superintendent

Luis Freese  
Associate Superintendent, Facilities, Maintenance, and Bond

Melissa Payne,  
Executive Director Contracts Administration

Ellen Mejia Hooper,  
Director Facilities, Planning & Construction

### CONSULTANTS

Tami Dunning  
Professional Registered Parliamentarian

Scott Sheldon  
Terra Realty Advisors, Inc.

Phil Hendersen  
Sarine Abrahamian  
Orbach Huff & Hendersen LLP

Placer Title Company  
Preliminary Title Reports

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## TABLE OF CONTENTS

- I. Executive Summary.....
- II. Purpose of the 7-11 Committee.....
- III. 7-11 Committee Membership .....
- IV. Description of Legal Process for Surplus School Property Discussion
- V. Responsibilities of the 7-11 Committee.....
- VI. Summary of the 7-11 Committee's Work.....
- VII. Property Descriptions .....
- VIII. Legal Definitions Informing the 7-11 Committee's Work.....
- IX. Policy Considerations Guiding 7-11 Committee's Work .....
- X. Method of Public Notification of the 7-11 Committee Hearing .....
- XI. 7-11 Committee Findings and Recommendations to the West Contra Costa Unified School District Board of Education.....
- Appendix A – Meeting Agendas and Minutes.....
- Appendix B – Current and Projected Enrollments .....

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## I. Executive Summary

Before a school district can sell or lease real property, the Education Code requires that a specific process be followed. The first step requires that the governing board of the school district, prior to the sale, lease or rental exceeding 30 days appoint a district advisory committee (the "7-11 Committee").

On May 5, 2021, the West Contra Costa Unified School District ("District") Board of Education ("Board") formed a new 7-11 Committee consistent with the requirements of Education Code section 17387 et seq.

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A 7-11 committee contains between seven and eleven members representing various geographic areas and communities within the District.

The 7-11 Committee held [# of meetings] public meetings. All meetings were held pursuant to the Brown Act.

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## II. Purpose of the 7-11 Committee

The 7-11 Committee was directed to follow the legislative intent of Education Code sections 17387 and 17390 in process and deliberations by engaging with the public and to determine the amount of surplus space and real property and establishing a priority list for uses of surplus space acceptable to the community.

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## III. 7-11 Committee Membership

The Board appointed the following persons to the 7-11 Committee:

| Committee Member  | Trustee Area | Category Represented   |
|-------------------|--------------|--|
| Don Gosney        | District 4   | Business Community, Landowner/Renter & Subject Matter Expert |
| Guadalupe Enllana | District 2   | Landowner /Renter & Parent of Student                        |
| Liz Garay         | District 1   | Landowner /Renter  |
| James Sanders     | District 5   | Landowner/Renter, Teacher & Subject Matter Expert            |
| Arto Rinteela     | District 4   | Landowner/Renter & Subject Matter Expert                     |

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|---------------------|------------|---|
| Samantha Ann Torres | District 3 | Business Community, Landowner/Renter, Parent of Student & Subject Matter Expert |
| Summer Sigler       | District 5 | Landowner/Renter & Administrator  |

On January 26, 2022, the Board appointed the following persons to the 7-11 Committee to meet the categories of community members required by the Education Code: Celina Hernandez Perez, Daniel Mariah Scott, Diana Perez Cruz, Don Gosney, Doreen Chand, James Alexander Watt, James Henry-Sanders, Jivanta Wagli, Samantha Ann Torres, Summer Sigler, and Trey Holland. Due to a lapse in time to start the 7-11 process, three original members could not be contacted or were unable to participate.

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On September 7, 2022, the Board approved a change in the original 11 members to 8 participating members. The Committee met with an online participation option under the COVID-19 state of emergency, which suspended some in-person meeting participation requirements for Brown Act Committee members.

On February 28, 2023, the COVID-19 State of Emergency ended, and the existing 7-11 Committee was unable to achieve a quorum. Due to the lack of attendance, the 7-11 Committee could not conduct its business.

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On January 24, 2024, the Board approved the membership of the 7-11 Committee to include only those Committee Members who have confirmed their ability and willingness to actively participate in the Brown Act Committee meetings. Unfortunately, this proposed membership would not satisfy the legal requirement to have a minimum of 7 members. As a result, District staff reinitiated a process of advertising for community members interested in serving. Staff conducted interviews to confirm participation requirements with existing and proposed new members.

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On January 24, 2024, the Board approved the 7-11 Committee membership to include Don Gosney, James Sanders, Samantha Ann Torres, Summer Sigler, and the addition of the following new members Guadalupe Enllana, Liz Garay, and Arto Rinteela.

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#### IV. Description of Legal Process for Surplus School Property Disposition

Before District property can be marketed for private use or development, the Board must almost always first determine that it is surplus to the needs of the District, based upon the recommendation of a community advisory committee, in this case the 7-11 Committee. After the Board determines that property is surplus, unless it obtains a waiver of the surplus property requirements from the State Board of Education, the District must offer it to other public agencies. These offerings are a prerequisite for making the property available for sale, lease, or lease with option to purchase under the applicable surplus statutes. Because the time within which to perform each step in this process is not limited by statute, the disposition process can be quite lengthy.

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The 7-11 Committee did not evaluate in detail the provisions of SB 35 and AB 2295 related to California school district “workforce housing” and the streamlined processes pursuant to those new statutory structures. Even so, the 7-11 Committee recognizes that these may offer the Board flexibility if it decides to pursue workforce housing at any of the properties.

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### V. Responsibilities of the 7-11 Committee

Education Code section 17390 provides the responsibilities of the 7-11 Committee:

- A. Review projected school enrollment and other data to determine whether the property(ies) under consideration are surplus to the educational needs of the District;
- B. Circulate throughout the attendance area a priority list of surplus property and provide for a public hearing for community input to the 7-11 Committee regarding acceptable uses for the surplus space and real property, including the sale or lease of the surplus real property;
- C. Establish a priority list of uses of the surplus property that will be acceptable to the community;
- D. Make a final determination for use of space and real property; and
- E. Make a report to the Board recommending uses of the surplus space and real property.

### VI. Summary of the 7-11 Committee’s Work

Meeting agendas and minutes are included in Appendix A and, along with the presentations, are available on the District website at: <https://www.wccusd.net/Page/15623>.

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### VII. Property Descriptions

The following provides an overview of each of the four properties considered by the 7-11 Committee. Each description provides:

1. Location: the property’s address
2. Assessor Parcel Number (APN): the number assigned to the parcel by the county assessor
3. Current use: current use of the site
4. Size: site acreage

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5. Zoning: specifies how and for what purposes each parcel of land may be used [under that zoning designation](#)
6. Property Description: brief description of the property
7. Opinion of Value: brief description of [fair market](#) opinion of value including the date [of value](#)
8. Title Summary: brief description of [how title to the](#) property [is held](#) and [site](#) constraints

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**Adams Middle School**



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| <p><b>Location:</b><br/>5000 Patterson Cir. Richmond, CA 94805-1599</p>   | <p><b>Assessor Parcel Number (APN):</b><br/>520-032-002<br/>520-042-013<br/>520-050-001<br/>520-062-001<br/>520-070-004</p>  |
| <p><b>Current use:</b> Vacant</p>   | <p><b>Size:</b> Approx. 5.97 Usable Acres</p>  |
| <p><b>Zoning:</b> Contra Costa map lists the property as unincorporated with General Plan of HE-C (Housing Element Consistency)</p>   | <p><b>Property Description:</b> School site surrounded by residential development and a private school.</p>  |
| <p><b>Opinion of Value (as of April 9, 2024):</b><br/><b>Proposed Land Use Assumptions:</b><br/>1. Low Density Single Family homes on approximately 6 acres of useable land<br/>2. Assumed 6 units/ac or approximately 36 new homes<br/>3. Subject to further geo-tech research</p> | <p><b>Title Summary:</b><br/>1. District acquired title to this property in 1953.<br/>2. Various utility easements (wet &amp; dry) in portions of abandoned roads and other locations of the property.</p> |

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| <p>4. Demo cost, including haz-mat: TBD<br/> <a href="#">Comparables</a> in the area indicate a range of values of \$23-\$33/sf: <b>\$6.0M - \$8.6M</b><br/>         Demo costs would be a deduct from this range of values</p> | <p>3. Conditions, Covenants &amp; Restrictions limiting certain uses such as saloons, etc<br/>         4. Building height restrictions on portions of the property.<br/>         5. Building set-back restrictions on portions of the property.</p> |
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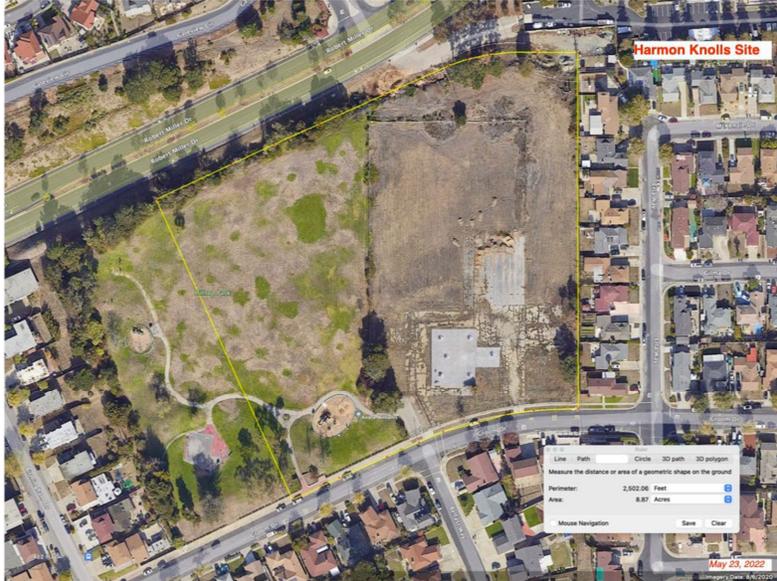
**Please refer to section XI for the Findings and Recommendations of the 7-11 Committee for the Property.**

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**Harmon Knolls**



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| <p><b>Location:</b> 2853 Groom Drive<br/>Richmond, CA 94806</p>  | <p><b>Assessor Parcel Number (APN):</b><br/>414-292-011</p>   |
| <p><b>Current use:</b> Vacant &amp; Park</p>   | <p><b>Size:</b> 8.87 Acres</p>  |
| <p><b>Zoning:</b> City of Richmond zoning map lists as Parks and Recreation (RMC 15.04.205)</p>  | <p><b>Property Description:</b> Vacant parcel surrounded by residential development.</p>  |
| <p><b>Opinion of Value (as of April 9, 2024):</b><br/><b>Proposed Land Use Assumptions:</b><br/>1. Medium Density Townhome project on approximately 5 acres of the site<br/>2. Assumed 18 units/ac or approximately 90 new townhomes<br/>3. Further discussions with the City of Richmond need to occur regarding the additional 3.78 ac</p> | <p><b>Title Summary:</b><br/>1. District acquired title to <u>the</u> property in 1965.<br/>2. Various utility easements with right of access: PG&amp;E &amp; others.<br/>3. Certain water rights are reserved.<br/>4. Conditions Covenants &amp; Restrictions restricting land uses to residential and business use if designated on City zoning maps.</p> |

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Comparables in the area indicate a range of values of \$33-\$37/sf: **\$7.1M - \$8.0M**

- 5. Building set-back restrictions on portions of the property.
- 6. Slope easement and lack of Abutters rights.
- 7. Provision for multi-family housing on school site if not used for school purposes.

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**Please refer to section XI for the Findings and Recommendations of the 7-11 Committee for the Property.**

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**Portola**



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| <p><b>Location:</b> 1021 Navellier St. El Cerrito CA, 94530.</p>   | <p><b>Assessor Parcel Number (APN):</b><br/>503-181-001<br/>503-190-001<br/>503-203-019</p>   |
| <p><b>Current use:</b> Vacant</p>  | <p><b>Size:</b> 5.29 acres</p>  |
| <p><b>Zoning:</b> Government/Public Use.</p>   | <p><b>Property Description:</b> Vacant parcel with potentially significant slope and landslide issues. Surrounding properties include a PG&amp;E substation, City park, residential and school uses.</p>  |
| <p><b>Opinion of Value (as of April 9, 2024):</b><br/><b>Proposed Land Use Assumptions:</b><br/>1. Medium Density Townhome project on approximately 5 acres of useable land<br/>2. Assumed 15 units/ac or approximately 75 new townhomes</p> | <p><b>Title Summary:</b><br/>1. District acquired title to the property in September 1948.<br/>2. The school was built in 1951.<br/>3. The buildings were demolished in 2012.<br/>4. Current Right of Entry Agreement with Pacific Oaks Community Garden for operating a free public community garden</p> |

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3. Subject to further geo-tech research [Comparables](#) in the area indicate a range of values of \$75-\$90/sf: **\$17M - \$20M**

and using approximately 5000 square feet of the District property with an expiration term of August 1, 2025. UC Master Gardener Program of Contra Costa County is operating the space.

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**Please refer to section XI for the Findings and Recommendations of the 7-11 Committee for the Property.**

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**Seaview**



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| <p><b>Location:</b> 2000 Southwood Drive, San Pablo, CA</p>   | <p><b>Assessor Parcel Number (APN):</b><br/>403-020-009<br/>403-482-043<br/>403-482-044</p>  |
| <p><b>Current use:</b> Vacant</p>   | <p><b>Size:</b> 7.7 acres</p>  |
| <p><b>Zoning:</b> Contra Costa Map now lists property as <a href="#">unincorporated</a> with General Plan of HE-C (Housing Element Consistency)</p>   | <p><b>Property Description:</b> Railroad tracks on both sides of the site. To the north are single family homes and to the south are baseball fields.</p>  |
| <p><b>Opinion of Value (as of April 9, 2024):</b></p> <ol style="list-style-type: none"> <li>1. Low Density Single Family Homes on approximately 4.6 acres of the site</li> <li>2. Assumed density to match the original Parcel Map showing approximately 21 new homes</li> <li>3. No assumed value at this time for the property south of Garrity Creek</li> </ol> | <p><b>Title Summary:</b></p> <ol style="list-style-type: none"> <li>1. District acquired title to <a href="#">the property</a> in 1968.</li> <li>2. The school was built in 1972.</li> <li>3. Portions of the property may be tidal or partially submerged.</li> <li>4. The building was demolished in 2015.</li> <li>5. No recorded public access to a portion of the property (field area).</li> </ol> |

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[Comparables](#) in the area indicate a range of values of \$12-\$15/sf: **\$2.4M - \$3.0M**

- 6. Various utility easements (wet & dry) portions of the property.
- 7. Conditions Covenants & [Restrictions](#) limiting the land use to single family residential.
- 8. Impact of two railroad tracks adjoining the properties.
- 9. East Bay Regional Parks is looking to acquire a trail easement through the property.

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**Please refer to section XI for the Findings and Recommendations of the 7-11 Committee for the Property.**

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**VIII. Legal Definitions Informing the 7-11 Committee's Work**

**Surplus Land**

Means land owned in fee simple by any local agency for which the local agency's government body takes formal action in a regular public meeting declaring that the land is surplus and not necessary for the agency's use. (Government Code § 54221(b)(1).)

**Highest/Best Use**

The highest and best use is the most profitable legally permissible use for which the property is physically, geographically, and economically adaptable. (*County of San Diego v. Rancho Vista Del Mar, Inc.* (1993) 16 Cal. App. 4<sup>th</sup> 1289, 1288.)

The highest and best use is defined as that use, among possible alternative uses, that is physically practical, legally permissible, market supportable, and most economically feasible... The appraiser must make a determination of highest and best use as part of the appraisal process. (*San Diego Gas & Electric Co. v. Schmidt* (2014) 288 Cal. App. 4<sup>th</sup> 1046, 1058.)

**IX. Additional Considerations Guiding the 7-11 Committee's Work**

**[[INCLUDE AS NEEDED]]**

**X. Method of Public Notification of the 7-11 Committee Hearing**

**[[INCLUDE WHEN COMPLETED]]**

**XI. Draft 7-11 Committee Findings and Recommendations to the West Contra Costa Unified School District Board of Education**

**SUMMARY OF 7-11 COMMITTEE FINDINGS**

Based upon information reviewed and considered by the 7-11 Committee, the following conclusions and findings are presented to the Board:

- A. The 7-11 Committee reviewed the properties in accordance with the requirements set forth under Education Code sections 17388, et seq.
- B. The properties under review by the 7-11 Committee are currently underutilized.
- C. Overall District enrollment has declined significantly since \_\_\_\_\_ and is projected to continue to decline through \_\_\_\_\_. District enrollment trends are tracking state-wide trends suggesting that the District's overall decline in enrollment is not indicative of District-specific issues but is likely to continue.
- D. Costs to maintain the properties are a financial burden to the District. In

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order to safeguard the health and safety of its community, the District expends considerable resources to prevent unauthorized access to the [properties](#). These costs could be reallocated to fund facility needs on operational school campuses.

- E. ↓
- F. Based on the foregoing, the 7-11 Committee finds and recommends that the [properties](#) be deemed surplus, not surplus, or consider alternative uses, as further explained below.

**ADVISORY 7-11 COMMITTEE RECOMMENDATIONS TO THE BOARD**

The 7-11 Committee considered and held a [public](#) hearing to receive input on the following options for the [properties](#) on \_\_\_\_\_, 2024:

**DECLARATION OF THE PROPERTIES AS SURPLUS OR NOT SURPLUS**

Pursuant to the 7-11 Committee’s review of District goals, [property](#) information, financial considerations, [and](#) pursuant to Education Code sections 17388 and 17390, the 7-11 Committee makes the following recommendations to the Board, which can be undertaken simultaneously to ensure the best value for the [properties](#) is achieved.

**A. Recommendations to the Board: Adams Site**

1. The 7-11 Committee recommends that the Board consider options to utilize the Adams Site [property](#), consisting of approximately 5.97 usable acres, or a portion thereof, for workforce/employee housing, which may be done without deeming the Adams Site [property](#) as surplus property.
2. Alternatively, the 7-11 Committee recommends that the Board consider the Adams Site [property](#), or a portion thereof, as surplus property and seek to offer the property or develop the property as open market/market rate housing, either through sale or long-term lease.
3. Alternatively, the 7-11 Committee recommends that the Board consider the Adams Site [property](#), or a portion thereof, as surplus property and consider options to develop the Adams Site [property](#) as a combination of workforce/employee housing [and](#) open market/market-rate housing.

**B. Recommendations to the Board: Harmon Knolls Site**

1. The 7-11 Committee recommends that the Board **NOT** deem the Harmon Knolls Site [property](#) as surplus. The 7-11 Committee has determined that the District may need the [property](#) for future educational purposes, including a potential new school site.

**C. Recommendations to the Board: Seaview Site**

1. The 7-11 Committee recommends that the Board consider options to

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utilize the Seaview Site [property](#), consisting of approximately 7.7 usable acres, or a portion thereof ([approximately 0.75 acres](#)), as for workforce/employee housing, which may be done without deeming the Seaview Site [property](#) as surplus property.

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2. Alternatively, the 7-11 Committee recommends that the Board consider the Seaview Site [property](#), or a portion thereof, as surplus property and seek to offer the property or develop the property as open market/market rate housing, either through sale or long-term lease.
3. Alternatively, the 7-11 Committee recommends that the Board consider the Seaview Site [property](#), or a portion thereof, as surplus property and consider options to develop the Seaview Site [property](#) as a combination of workforce/employee housing and open market/market-rate housing.
4. For all potential uses, the 7-11 Committee recommends and encourages that the Board consider [granting](#) an easement to permit East Bay Regional Park District 0.75 acres to connect parts of the Bay Trail.

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**D. Recommendations to the Board: Portola Site**

1. The 7-11 Committee recommends that the Board consider options to utilize the Portola Site [property](#), consisting of approximately 5.29 usable acres, or a portion thereof, for workforce/employee housing, which may be done without deeming the Portola Site [property](#) as surplus property.
2. Alternatively, the 7-11 Committee recommends that the Board consider the Portola Site [property](#), or a portion thereof, as surplus property and seek to offer the property or develop the property as open market/market rate housing, either through sale or long-term lease.
3. Alternatively, the 7-11 Committee recommends that the Board consider the Portola Site [property](#), or a portion thereof, as surplus property and consider options to develop the Portola Site [property](#) as a combination of workforce/employee housing plus open market/market-rate housing.
4. Alternatively, the 7-11 Committee recommends that the Board consider the Portola Site [property](#), or a portion thereof, as surplus property and seek to offer the property or develop the property as other appropriate commercial use, consistent with the surrounding neighborhood and current zoning, either through sale or long-term lease.
5. For all potential uses, the 7-11 Committee recommends and encourages that the Board consider to permit 0.45 acres of the Portola Site [property](#) be made available to the UC Master Gardener Program of Contra Costa County for its program's use.

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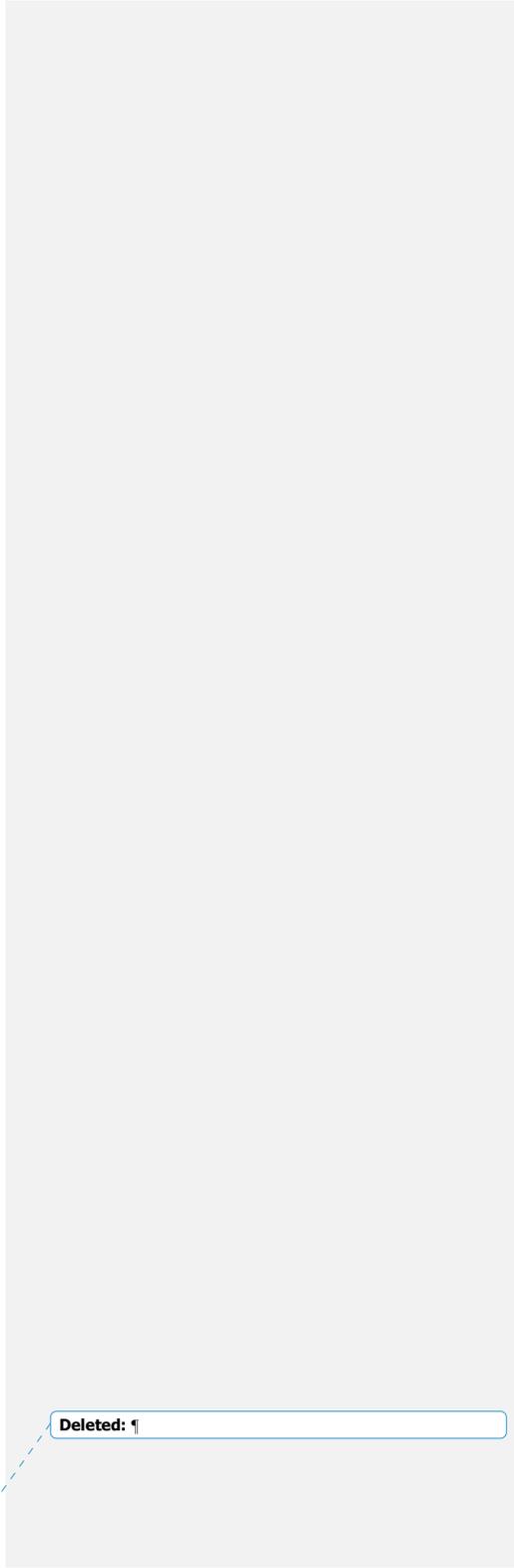
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District Surplus Facilities Advisory 7-11 Committee

Appendix A: Meeting Agendas and Minutes

Appendix B: Current and Projected Enrollment Data

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## Appendix A – Meeting Agendas and Minutes

March 5, 2024

March 19, 2024

March 26, 2024

April 9, 2024

May 7, 2024

May 21, 2024

June 11, 2024

June 25, 2024

July 16, 2024

August 13, 2024

August 27, 2024

Previous 7-11 Committee Membership Meeting Agendas are available on the District website <https://www.wccusd.net/Page/15623>

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**Appendix B – Current and Projected Enrollments**

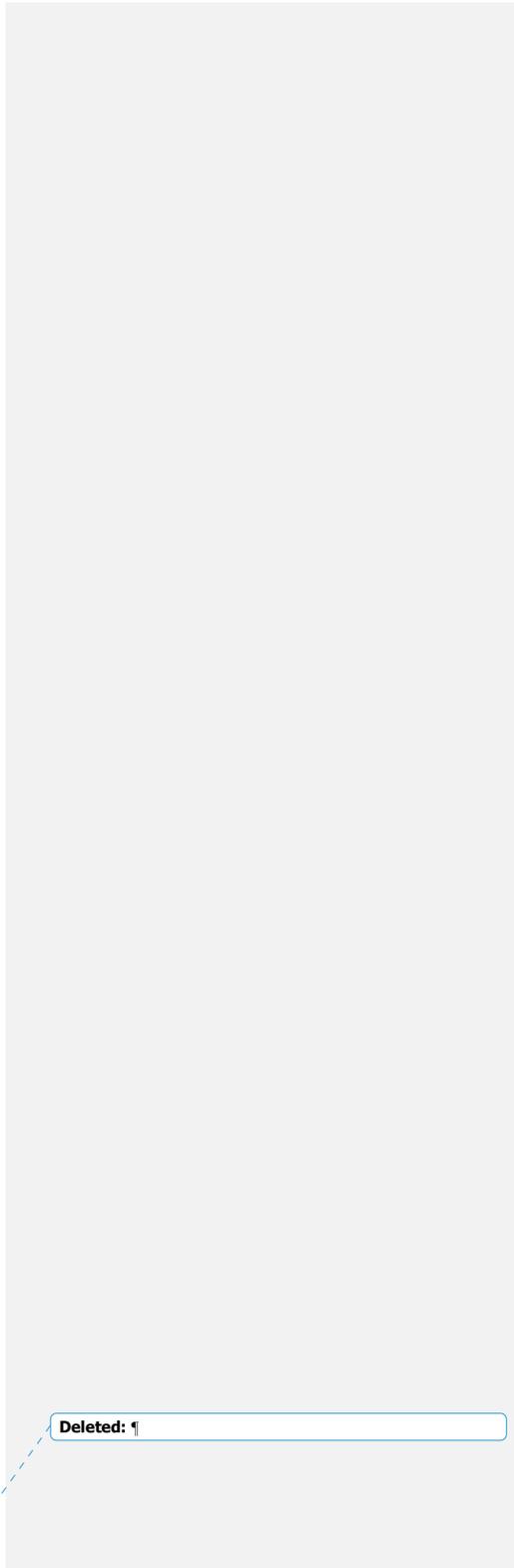
Presented at the 7-11 Committee Meeting on March 26, 2024:

Enrollment and Capacity, prepared by Ellen Mejia Hooper, WCCUSD

WCCUSD Enrollment By School, prepared by 7-11 Committee Chair James Sanders

Survey of School Facility, 1949-1955 Enrollment Data, prepared by 7-11 Committee Member Don Gosney

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