BERKELEY UNIFIED SCHOOL DISTRICT

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

Committee Adoption: January 25, 2023
Board Consideration: March 8, 2023

BOARD OF TRUSTEES
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Ana Vasudeo, Vice-President
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7-11 COMMITTEE MEMBERS

Beth Rhine, Chair
Dietmar Lorenz, Vice Chair
Cathy Campbell
James Rosberg
Kate Collignon
Phyllis Orrick
Stephanie Allan
Wyn Skeels
Offir Kehat

ADVISORY/ SUPPORT STAFF

John Calise, Executive Director, Berkeley Unified School District

CONSULTANTS

Jennifer Gibb, Van Pelt Construction Services, 7-11 Committee Facilitator
Jessika K. Johnson, Dannis Woliver Kelly, Legal Counsel
Rachel K. Brilliant, Dannis Woliver Kelly, Legal Counsel

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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 (commonly known, and referred to from this point forward, as the 7-11 Committee) to advise the governing board regarding the surplus of space and/or real property. The responsibilities of the 7-11 Committee are also specified within the Education Code, and, at the conclusion of its work, the 7-11 Committee is required to provide the district governing board a report recommending use of surplus space and real property. The governing board, taking into consideration the 7-11 Committee's recommendations, which are advisory and nonbinding, determines whether it will declare some or all of the property surplus and announce its intent to sell or lease the property in question.

On August 24, 2022, the Berkeley School District ("District") Board of Education ("Board") decided to form a new 7-11 Committee consistent with the requirements of Education Code section 17387 et seq. A 7-11 committee contains between seven and eleven members representing various components of the District and community to provide recommendations to the Board concerning surplussing District property. On October 26, 2022, the Board appointed the following persons to the Committee to meet the categories of community members required by the Education Code: Beth Rhine, Dietmar Lorenz, Georgia Maslowski, Cathy Campbell, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, and Wyn Skeels. Offir Kehat and Gabrielle Wilson were selected as alternates to the 7-11 Committee. Following the first meeting of the 7-11 Committee, Georgia Maslowski advised the District that she was no longer to serve on the 7-11 Committee and Offir Kehat agreed to serve as a formal member of the 7-11 Committee.

The 7-11 Committee held five public meetings to gather information on the properties and other relevant District data (e.g., District needs, District enrollment, facilities capacity, etc.). All meetings were held virtually, open to the public, noticed at least 72 hours in advance, and held in accordance with the Brown Act.

After extensive study of pertinent documents, receipt of public comment, and thoughtful deliberations, the 7-11 Committee recommends that the Board declare the Oxford Elementary School site ("the Oxford site") [ENTRY DEPENDS ON RECOMMENDATION] to the District's educational needs, all as of [ENTER DATE].

II. Purpose of the 7-11 Committee

The 7-11 Committee was formed as a way to secure community involvement in the District's planning process for the Oxford site. The 7-11 Committee was instructed to produce a recommendation as to how it might maximize the use of the Oxford site to both serve the community and generate revenue for the District.

III. 7-11 Committee Membership

The Board appointed the following persons to the 7-11 Committee to represent the categories indicated by each person's name:

MEMBER	SCHOOL AND/OR AFFILIATION	CATEGORIES REPRESENTED
Beth Rhine	Oxford Elementary School	Representative of the ethnic, age group, or socio-economic composition of District. District Administrator.
Dietmar Lorenz		Representative of the ethnic, age group, or socio-economic composition of District. Person with Expertise - Architectural Expertise. Parent of BUSD Student. Business Community.
Cathy Campbell		Representative of the ethnic, age group, or socio-economic composition of District. District Teacher.
James Rosberg		Representative of the ethnic, age group, or socio-economic composition of District. Parent of BUSD Student.
Kate Collignon		Representative of the ethnic, age group, or socio-economic composition of District. Landowner/Renter. Person with Expertise - Land Use Expertise Parent of BUSD Student.
Phyllis Orrick		Representative of the ethnic, age group, or socio-economic composition of District. Landowner/Renter. Care Giver of BUSD Student.
Stephanie Allan		Representative of the ethnic, age group, or socio-economic composition of District. Landowner/Renter.
Wyn Skeels		Representative of the ethnic, age group, or socio-economic composition of District. District Administrator.
Offir Kehat		Representative of the ethnic, age group, or socio-economic composition of District. Person with Expertise – Planning Expertise. Parent of BUSD Student.

The Board reviewed the Education Code requirements concerning the composition of the 7-11 Committee and determined that the 7-11 Committee represented a cross section of the community and met the requirements of Education Code section 17389.

IV. Description of Legal Process for School Surplus Property Disposition

Before District property can be marketed for private use or development, the Board must first determine that the property 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, the District can offer it to other public agencies for use as open space, recreational or park use, for development of low- and moderate-income housing, or for other uses. These offerings are a prerequisite to making the property available for sale, lease, or lease with option to purchase, through public bidding if the property is not conveyed to a public entity or non-profit corporation in response to the public offerings. Because the time within which to perform each step in this process is not limited by statute, the disposition process can be very lengthy.

V. Charge to the 7-11 Committee

Education Code section 17390 directs the 7-11 Committee to:

A. Review projected school enrollment and other data to determine whether the property under consideration is surplus to the educational needs of the District;

B. Establish a priority list of uses of the surplus property that will be acceptable to the community;

C. Circulate throughout the attendance area a priority list of surplus property and provide for a public hearing for community input to the Committee regarding acceptable uses for the surplus space and real property, including the sale or lease of the surplus real property;

D. Make a final determination of limits of tolerance of use of space and real property;

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

The 7-11 Committee met five times and considered extensive information, including information concerning the District, its current and future needs, District past, current and future enrollment, District real property and other resources. Community input was solicited, and a public hearing was conducted at the 7-11 Committee's January 25, 2023 meeting. In the service of their community and with the intention of making educated and informed decisions, 7-11 Committee members sought and received presentations from District staff, and legal counsel to the District.

Meeting agendas and minutes are included in Appendix A and, along with the presentations, are available on the Berkeley Unified School District website at:

https://www.berkeleyschools.net/7-11-committee/

Meeting 1: November 2, 2022

- Duties of the 7-11 Committee
- Review Meeting Norms
- Legal process to declare surplus property
- Brown Act Primer
- Review site details

Meeting 2: November 16, 2022

- Brown Act Primer
- Review of zoning, General Plan designation and acceptable uses for site
    - Oxford property is zoned Single Family Residential

    - General Plan Designation is Public Quasi- Public

- 7-11 Committee discussion of means to engage the community

Meeting 3: December 13, 2022

- Review Template of 7-11 Committee Reports and Recommendations
- Schedule Public Hearing on January 25, 2023
- 7-11 Committee discussion of means to engage the community
- Begin to Draft 7-11 Committee Report

Meeting 4: January 11, 2023

- Review Draft 7-11 Committee Report
- Continue to Draft 7-11 Committee Report

Meeting 5: January 25, 2023

- Public hearing
- Approve 7-11 Committee Report

In summary, the 7-11 Committee met on November 2, 2022, November 16, 2022, December 13, 2022, January 11, 2023, and January 25, 2023. On January 25, 2023, the Committee held a public hearing. On January 25, 2023, the Committee met to vote on finalizing and approving the Report.

VII. Property Description

An overview of the Oxford Elementary School property follows.

Oxford Elementary School

1. **Location:** 1130 Oxford Street Berkeley, CA 94707

2. **Assessor Parcel Number (APN):** 61-2558-17

3. **Current use**: Vacant

4. **Size**: site acreage

5. **Zoning**: R-1H Single Family Residential with Hillside overlay.

6. **Property Description**: School site surrounded by residential development on all four sides.

7. **Appraisal:** An appraisal report dated September 12,2022 valued the property at $2 million.

Committee Recommendations: 7-11 Committee recommends that the site be declared surplus.



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. (Education Code § 54221(b)(1).)

Highest/Best Use

The highest and best use if 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. 4th 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. 4th 1046, 1058.)

IX. Method of Public Notification of the 7-11 Committee Hearing

The 7-11 Committee held a public hearing for community input concerning its findings and recommendations on January 25, 2023. The minutes of that hearing are included in **Attachment A**. The public was notified of that hearing by posting a notice of the hearing at the following locations at least 72 hours before the meeting:

- District Facilities Office, 1005 Parker Street, Berkeley, CA
- District Office, 2020 Bonar Street, Berkeley, CA
- Oxford Site, 1130 Oxford Street, Berkeley, CA

The public was also notified by posting a notice to the District Website at: https://www.berkeleyschools.net, by sending electronically at least 72 hours before the meeting to the following persons: 7-11 Committee Members, all District Board of Education members and all persons who have requested written notice of Board meetings, and by posting a notice in the local newspaper.

At its meeting on January 25, 2023, the 7-11 Committee considered whether to approve the draft Report with or without amendments and voted to approve the Report in the form provided to the Board.

X. 7-11 Committee Findings and Recommendations to the Berkeley Unified School District Board of Education

A. <u>7-11 Committee Findings</u>

1. The 7-11 Committee finds that the Oxford parcel should …

B. Committee Recommendations

The District Surplus Facilities Advisory 7-11 Committee hereby recommends the following to the District Board of Education:

- Declare the site as:
  - surplus to the district's needs.

- The committee recommends the following as the best and highest uses of this property:
  - 1) To sell this property and use the proceeds to meet District needs.
    - *Six (6) Committee Members agreed with this recommendation.*
    - *Two (2) Committee Members opposed this recommendation.*
    - *One (1) Committee Member was absent and did not vote on the recommendation.*
    - *See Appendix E for more information.*
  - *2) To retain ownership of this property and to work towards workforce housing, preferably through AB2295.*
    - *Three (3) Committee Members agreed with this recommendation.*
    - *Four (4) Committee Members opposed this recommendation.*
    - *One (1) Committee Member abstained from voting on this recommendation.*
    - One (1) Committee Member was absent and did not vote on the recommendation.
    - *See Appendix E for more information.*

The members of the 7-11 Committee have appreciated the opportunity to serve the District and the Berkeley Unified School District community in this important activity. At the forefront of the task was to develop a recommendation that would be in the best interest of the children of the Berkeley Unified School District for generations to come.

Respectfully submitted,

Beth Rhine, Chair
District Surplus Facilities Advisory Committee

Appendix A: Meeting Agendas and Minutes
Appendix B: Current and Projected Enrollments
Appendix C: Photographs and Depictions of Property
Appendix D: Documents Available to and Evaluated by the 7-11 Committee
Appendix E: Additional Comments

Appendix A – Meeting Agendas and Minutes

Regular Virtual Meeting of the 7-11 Committee Meeting
Wednesday, November 2, 2022
5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

To join the public comment period of the November 2, 2022 7-11 Committee Meeting **click here.**
For the November 2 meeting, the meeting ID is **891 4490 5423** the Passcode is **979694**

Join by phone

Dial 669-900-6833
You will be prompted to enter the meeting information.

Enter Meeting Information
The Meeting ID and Passcode will be posted on this page prior to the meeting time. When prompted, enter the Meeting ID **891 4490 5423**, followed by #.
After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

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1. CALL TO ORDER _____ P.M. [5:30 PM]

2. ROLL CALL [5:30 PM]

3. EXECUTIVE DIRECTOR WELCOME [5:35 PM]

4. DISTRICT LEGAL COUNSEL [5:40 PM]

    a. District Legal Counsel to Explain Purpose and Regulations Regarding the 7-11 Committee
    b. Instructions for Public Comment

    The Committee hears public comment at each meeting. There are two opportunities for public comment at each meeting. The first is for agenda items and the second is for non-agenda items.

    The Committee Chairperson will introduce the allotted period of time for Public comments, organize the comments, and indicate who will be speaking next. If you wish to speak, you must 'Raise Your Hand' before the comment period begins, so you can get in the line to speak. If you raise your hand after the comment period has started you will likely not be able to speak during that comment period.

    Public comments are limited to three (3) minutes per person unless there are too many people

requesting to speak, in which case the Committee Chair may limit comments to less than three (3) minutes per person.

To raise your hand by video conference: When Public Comment is asked for, click on the Participants button at the bottom of your screen and select the “Raise Your Hand” button to request to speak.

To raise your hand by phone: When Public Comment is asked for, press *9 to “Raise Your Hand” to request to speak.

When called upon, you will be unmuted. After the allotted time, you will be re-muted.

5. MISSION OF COMMITTEE / BOARD OF EDUCATION MANDATE FOR COMMITTEE [6:30 PM]

6. COMMITTEE CHAIRPERSON AND VICE CHAIRPERSON SELECTION [6:45 PM]

7. APPROVAL OF AGENDA [6:55 PM]
    a. The 7-11 Committee reserves the right to change the order in which items are discussed and/or acted upon at this meeting. Subject to further action by the 7-11 Committee, the agenda for this meeting is to be approved as presented. Items may be added to this agenda for discussion or action only as permitted by the Brown Act.

8. PUBLIC COMMENT [6:58 PM]

9. ADOPT A RESOLUTION AUTHORIZING ELECTRONIC MEETINGS [7:08 PM]

10. NON-AGENDA PUBLIC COMMENT [7:10 PM]

11. SCHOOL SITE FACILITIES INFORMATION [7:15 PM]

12. ADJOURNMENT [7:30 PM]

Minutes for

Regular Virtual Meeting of the 7-11 Committee Meeting

Wednesday, November 2, 2022

5:30 PM – 7:30 PM PST

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1. CALL TO ORDER: 5:31 P.M.
2. ROLL CALL
   Present: Beth Rhine, Cathy Campbell, Dietmar Lorenz, Georgia Maslowski, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels, Offir Kehat

   Absent: Gabrielle Wilson

   Staff: John Calise, Executive Director Facilities Division; Jessika Johnson, Dannis Woliver Kelley; Rachel Brilliant, Dannis Woliver Kelley; Jennifer Gibb, Van Pelt Construction Services; Prachi Amin, Van Pelt Construction Services; Jennifer Kerr, Van Pelt Construction Services
3. EXECUTIVE DIRECTOR WELCOME

John Calise, Berkeley Unified Executive Director, Facilities Division welcomed the members of the committee and introduced staff.

4. DISTRICT LEGAL COUNSEL
    a. District Legal Counsel to Explain Purpose and Regulations Regarding the 7-11 Committee
    Jessika Johnson and Rachel Brilliant, BUSD legal counsel, briefed the committee on regulations of the Brown Act and the major roles of the committee as an advisory to the board.

    b. Instructions for Public Comment
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    When called upon, you will be unmuted. After the allotted time, you will be re-muted.

5. MISSION OF COMMITTEE / BOARD OF EDUCATION MANDATE FOR COMMITTEE
    a. Jennifer Gibb briefed the committee on the major topics the committee will review, the purpose of the committee, meeting norms, and dates/times for future committee meetings.

6. COMMITTEE CHAIRPERSON AND VICE CHAIRPERSON SELECTION
    a. Jennifer Gibb gave an overview of the roles and responsibilities of the committee chair and vice chair. Committee members then introduced themselves and gave a brief overview of their backgrounds.

b. Committee voted for Beth Rhine for Chair.
   Wyn Skeels motioned, Stephanie Allan seconded.
   Ayes: Cathy Campbell, Dietmar Lorenz, Georgia Maslowski, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
   Abstain: none
   Nays: none
c. Committee voted for Wyn Skeels as Vice Chair.
   Beth Rhine motioned, Stephanie Allan seconded.
   Ayes: Georgia Maslowski, Stephanie Allan, Wyn Skeels, Beth Rhine
   Abstain: Dietmar Lorenz, James Rosberg
   Nays: Cathy Campbell, Kate Collignon, Phyllis Orrick
   Motion did not pass.
d. Committee voted for Dietmar Lorenz as Vice Chair.
   Phyllis Orrick motioned, Cathy Campbell seconded.
   Ayes: Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick
   Abstain: none
   Nays: Georgia Laslowski, Stephanie Allan, Wyn Skeels, Beth Rhine
   Motion passes.

7. APPROVAL OF AGENDA
   a. The 7-11 Committee reserves the right to change the order in which items are discussed and/or acted upon at this meeting. Subject to further action by the 7-11 Committee, the agenda for this meeting is to be approved as presented. Items may be added to this agenda for discussion or action only as permitted by the Brown Act.
   b. Motion by Cathy Campbell, seconded by Kate Collignon.
      Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, Georgia Maslowski, James Rosberg, Kate Collignon, Phyllis Orrick, Wyn Skeels, Stephanie Allan
      Abstain: none
      Nays: none
      Motion passes.

8. PUBLIC COMMENT
   a. Beth Rhine, committee Chair, opened the meeting for public comment on agenda items.
      No public comment.

9. ADOPT A RESOLUTION AUTHORIZING ELECTRONIC MEETINGS
   a. Jessika Johnson and Rachel Brilliant, BUSD legal counsel, gave an overview and presented the resolution to authorize electronic meetings.
   b. Motion by Phyllis Orrick, seconded by Cathy Campbell.
      Ayes: Cathy Campbell, Dietmar Lorenz, Georgia Maslowski, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels, Beth Rhine
      Abstain: none

Nays: none
Motion passes.

10. NON-AGENDA PUBLIC COMMENT
    a. Beth Rhine, committee Chair, opened the meeting for public comment on non-agenda items.
    No public comment.

11. SCHOOL SITE FACILITIES INFORMATION
    a. Jennifer Gibb reviewed the district's website for the 7-11 committee.
    b. Questions from the committee and the community should be sent to capitalprojects@berkeley.net (Please add 7-11 to Subject).
    c. Committee discussed future agenda topics. The following topics were recommended for upcoming meetings:
        - Summary and/or presentation of reports presented to date:
            - Geological Hazards Report
            - Appraisal Report
        - Non-Public student use of site (Charter/Private Schools)
        - Local permitting land use
        - Meeting locations, a potential site visit
    d. Committee discussed communications/outreach with the community. Staff will work with BUSD Information Public Officer for community outreach. Any questions / comments can be directed to: capitalprojects@berkeley.net (Please add 7-11 to Subject)

12. ADJOURNMENT: 7:30 P.M.

Regular Virtual Meeting of the 7-11 Committee Meeting
Wednesday, November 16, 2022
5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

To join the public comment period of the November 16, 2022 7-11 Committee Meeting **click here.**
For the November 16 meeting, the meeting ID is **829 3874 6853** the Passcode is **979694**

Join by phone

Dial 669-900-6833
You will be prompted to enter the meeting information.

Enter Meeting Information
The Meeting ID and Passcode will be posted on this page prior to the meeting time. When prompted, enter the Meeting ID **829 3874 6853**, followed by #.
After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

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1. CALL TO ORDER _____ P.M. [5:30 PM]

2. ROLL CALL [5:30 PM]

3. PUBLIC COMMENT EXPLANATION [5:32 PM]

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4. APPROVAL OF AGENDA [5:40 PM]

5. APPROVAL OF MINUTES NOVEMBER 2, 2022 [5:42 PM]

6. NON-AGENDA PUBLIC COMMENT [5:44 PM]

7. DISTRICT LEGAL COUNSEL [5:50 PM – 6:19 PM]

    a. Duties of the Committee Review
    b. Road Map of Committee Tasks
    c. Surplus Property Concept Overview
    d. Highest and Best Use
    e. Use of Proceeds
    f. Recommendations for Use
    g. Zoning

8. SCHOOL SITE FACILITIES INFORMATION [6:20 – 6:44 PM]
   John Calise, Executive Director
   Jennifer Gibb, Facilitator

    a. Oxford Elementary School Site Data
    b. Geological Hazards Report
    c. Appraisal Report

9. DISCUSSION [6:45 PM]

10. ADJOURNMENT [7:30 PM]

Minutes for

Regular Virtual Meeting of the 7-11 Committee Meeting

Wednesday, November 16, 2022

5:30 PM – 7:30 PM PST

Join with ZOOM

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For the November 16 meeting, the meeting ID is **829 3874 6853** the Passcode is **979694**

Join by phone

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Enter Meeting Information

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After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

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1. CALL TO ORDER: 5:33 P.M.
2. ROLL CALL
   Present: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels, Offir Kehat

   Absent: Gabrielle Wilson

   Georgia Maslowski resigned from the committee, alternate Offir Kehat took Georgia's seat on the committee.

Staff: John Calise, Executive Director Facilities Division; Jessika Johnson, Dannis Woliver Kelley; Rachel Brilliant, Dannis Woliver Kelley; Jennifer Gibb, Van Pelt Construction Services; Prachi Amin, Van Pelt Construction Services; Jennifer Kerr, Van Pelt Construction Services

3. PUBLIC COMMENT EXPLANATION

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   To raise your hand by video conference: When public comment is asked for, click on the Participants button at the bottom of your screen and select the "Raise Your Hand" button to request to speak.

4. APPROVAL OF AGENDA
   a. Motion by Cathy Campbell, seconded by Stephanie Allan.
      Ayes: Beth Rine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
      Abstain: Offir Kehat
      Nays: none
      Motion passes.

5. APPROVAL OF MINUTES NOVEMBER 2, 2022
   a. Motion by Phyllis Orrick, seconded by Dietmar Lorenz.
      Ayes: Beth Rine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Why Skeels
      Abstain: Offir Kehat
      Nays: none
      Motion passes.

6. NON-AGENDA PUBLIC COMMENT
   a. Beth Rine, committee chair, opened the meeting for public comment on non-agenda items.
      No public comment.

7. DISTRICT LEGAL COUNSEL

a. Rachel Brilliant and Jessika Johnson, BUSD legal counsel, reviewed a slideshow on the following items: duties of the committee, road map of committee tasks, surplus property concept overview, highest and best use, use of proceeds, recommendations for use, and zoning.

8. SCHOOL SITE FACILITIES INFORMATION
    a. Jennifer Gibb and John Calise reviewed site information including the following items: school site data, geological hazards report, and appraisal report.
9. DISCUSSION
    a. The committee discussed the following items:
        i. Concern of children on the property if it were to be sold/leased to a private or charter school.
        ii. The option of swapping land with the City of Berkeley if the property were to be surplused.
        iii. Potential of using the site for workforce housing.
        iv. The committee took a straw poll of who is in favor of recommending to surplus the property. All members were in favor.
    b. Items requested for the next meeting:
        i. Information on the impact to emergency services if the site were to be used for workforce housing.
        ii. Additional clarity on appraisal information.
        iii. Zoning and density information as it relates to workforce housing.
        iv. Further information on AB 2295.
        v. Motion to vote on whether to recommend surplusing the property or not.
        vi. Draft letter and resolution to be reviewed.

10. ADJOURNMENT: 7:23 P.M.

Regular Virtual Meeting of the 7-11 Committee Meeting
Tuesday, December 13, 2022
5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

To join the public comment period of the December 13, 2022 7-11 Committee Meeting **click here**.
For the December 13 meeting, the meeting ID is **845 6137 9935** the Passcode is **979694.**

Join by phone

Dial 669-900-6833
You will be prompted to enter the meeting information.

Enter Meeting Information
The Meeting ID and Passcode will be posted on this page prior to the meeting time. When prompted, enter the Meeting ID **845 6137 9935**, followed by #.
After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

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1. CALL TO ORDER _____ P.M. [5:30 PM]

2. ROLL CALL [5:30 PM]

3. PUBLIC COMMENT EXPLANATION [5:32 PM]

   The Committee hears public comment at each meeting. There are two opportunities for public comment at each meeting. The first is for agenda items and the second is for non-agenda items.

   The Committee Chairperson will introduce the allotted period of time for Public comments, organize the comments, and indicate who will be speaking next. If you wish to speak, you must 'Raise Your Hand' before the comment period begins, so you can get in the line to speak. If you raise your hand after the comment period has started you will likely not be able to speak during that comment period. Public comments are limited to three (3) minutes per person unless there are too many people requesting to speak, in which case the Committee Chair may limit comments to less than three (3) minutes per person.

   To raise your hand by video conference: When Public Comment is asked for, click on the Participants button at the bottom of your screen and select the "Raise Your Hand" button to request to speak.

4. APPROVAL OF AGENDA [5:40 PM]

5. ADOPT A RESOLUTION AUTHORIZING ELECTRONIC MEETINGS [5:42 PM]

6. APPROVAL OF MINUTES NOVEMBER 16, 2022 [5:47 PM]

7. NON-AGENDA PUBLIC COMMENT [5:50 PM]

8. SCHOOL SITE FACILITIES INFORMATION [6:00 PM – 6:05 PM]
   John Calise, Executive Director
   Jennifer Gibb, Facilitator

    a. Presentation by staff and consultants regarding school site information.

9. DISTRICT LEGAL COUNSEL [6:05 – 6:20 PM]

    a. Presentation on zoning legislation.

10. ACTION [6:20 – 6:30 PM]
    a. Committee vote to determine if the previous home to Oxford Elementary School, (located at 1130 Oxford Street, Berkeley CA 94707) should be deemed surplus property.

11. REVIEW OF DRAFT 7-11 COMMITTEE RECOMMENDATION REPORT TEMPLATE [6:30 – 6:45 PM]

12. DISCUSSION [6:45 PM]

13. ADJOURNMENT [7:30 PM]

Minutes for the
Regular Virtual Meeting of the 7-11 Committee Meeting
Tuesday, December 13, 2022
5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

To join the public comment period of the December 13, 2022 7-11 Committee Meeting **click here**.
For the December 13 meeting, the meeting ID is **845 6137 9935** the Passcode is **979694.**

Join by phone

Dial 669-900-6833
You will be prompted to enter the meeting information.

Enter Meeting Information
The Meeting ID and Passcode will be posted on this page prior to the meeting time. When prompted, enter the Meeting ID **845 6137 9935**, followed by #.
After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

---

1. CALL TO ORDER: 5:33 P.M.

2. ROLL CALL

   Present: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels, Offir Kehat

   Absent: n/a

   Staff: John Calise, Executive Director Facilities Division; Rachel Brilliant, Dannis Woliver Kelley; Jennifer Gibb, Van Pelt Construction Services; Prachi Amin, Van Pelt Construction Services; Kelli Jurgenson, Van Pelt Construction Services; Jennifer Kerr, Van Pelt Construction Services

3. PUBLIC COMMENT EXPLANATION

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To raise your hand by video conference: When public comment is asked for, click on the Participants button at the bottom of your screen and select the 'Raise Your Hand' button to request to speak.

a. Beth Rhine, committee chair, opened the meeting for public comment on agenda items.
A staff member from City Council District 5 Sophie Hahn's office voiced frustration of the committee's vote before the council member was able to meet with the District.

4. APPROVAL OF AGENDA
    a. Motion by Cathy Campbell, seconded by Dietmar Lorenz.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Wyn Skeels
    Abstain: Stephanie Allan, Offir Kehat
    Nays: none
    Motion passes.

5. ADOPT A RESOLUTION AUTHORIZING ELECTRONIC MEETINGS
    a. Motion by Dietmar Lorenz, seconded by Kate Collignon.
    Ayes: beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Wyn Skeels
    Abstain: Stephanie Allan, Offir Kehat
    Nays: none
    Motion passes.

6. APPROVAL OF MINUTES NOVEMBER 16, 2022
    a. Motion by Cathy Campbell, seconded by Dietmar Lorenz.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Wyn Skeels
    Abstain: Stephanie Allan, Offir Kehat
    Nays: none
    Motion passes.

7. NON-AGENDA PUBLIC COMMENT
    a. Beth Rhine, committee chair, opened the meeting for public comment on non-agenda items.
    No public comment.

8. SCHOOL SITE FACILITIES INFORMATION
    a. Jennifer Gibb and John Calise reviewed school site information regarding the current zoning and appraisal report.

9. DISTRICT LEGAL COUNSEL
    a. Rachel Brilliant, BUSD legal counsel, reviewed a slideshow with information on Assembly Bill 2295 and Senate Bill 9 regarding districts surplussing property.

10. ACTION
    a. Motion to recommend the former Oxford Elementary School site be deemed surplus property by Stephanie Allan, seconded by Kate Collignon.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels, Offir Kehat

Abstain: none
Nays: none
Motion passes.

11. REVIEW OF DRAFT 7-11 COMMITTEE RECOMMENDATION REPORT TEMPLATE
    a. Rachel Brilliant, BUSD legal counsel, reviewed the draft committee report template and highlighted key items. An example report from another school district was included in the committee's packet as a guide.

12. DISCUSSION
    a. The committee discussed the following items:
        i. How money from the potential sale or lease of the site can be utilized.
        ii. Impacts to potential State funding if the District were to keep the site and it remains not in use and if the site were used for workforce housing.
    b. Items requested for the next meeting:
        i. High level information on if the site does/doesn't meet any of the criteria of Assembly Bill 2295.
    c. Action items:
        i. Comments from committee members to be included in the report are requested to be sent to capitalprojects@berkeley.net by 1/5/23.
        ii. Staff will compile all comments from committee members into the draft report for the committee chair and vice chair to review prior to the next meeting.
        iii. Staff will resend the draft report template to committee members.

13. ADJOURNMENT: 7:28 P.M.

Regular Virtual Meeting of the 7-11 Committee Meeting
Wednesday, January 11, 2023
5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

To join the public comment period of the January 11, 2023 7-11 Committee Meeting **click here**.
For the January 11 meeting, the meeting ID is **881 0659 5840** the Passcode is **979694.**

Join by phone

Dial 669-900-6833
You will be prompted to enter the meeting information.

Enter Meeting Information
The Meeting ID and Passcode will be posted on this page prior to the meeting time. When prompted, enter the Meeting ID **881 0659 5840**, followed by #.
After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

---

1. CALL TO ORDER _____ P.M. [5:30 PM]

2. ROLL CALL [5:30 PM]

3. PUBLIC COMMENT EXPLANATION [5:32 PM]

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4. APPROVAL OF AGENDA [5:40 PM]

5. ADOPT A RESOLUTION AUTHORIZING ELECTRONIC MEETINGS [5:42 PM]

6. APPROVAL OF MINUTES DECEMBER 13, 2022 [5:47 PM]

7. NON-AGENDA PUBLIC COMMENT [5:50 PM]

8. SCHOOL SITE FACILITIES INFORMATION [6:00 PM – 6:05 PM]
   John Calise, Executive Director
   Jennifer Gibb, Facilitator

    a. Presentation by staff and consultants regarding school site information.

9. REVIEW OF DRAFT 7-11 COMMITTEE RECOMMENDATION REPORT [6:10 – 7:15 PM]

10. DISCUSSION [7:15 PM]

11. ADJOURNMENT [7:30 PM]

Minutes for

Regular Virtual Meeting of the 7-11 Committee Meeting

Wednesday, January 11, 2023

5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

To join the public comment period of the November 2, 2022 7-11 Committee Meeting **click here.**

For the November 16 meeting, the meeting ID is **829 3874 6853** the Passcode is **979694**

Join by phone

Dial 669-900-6833

You will be prompted to enter the meeting information.

Enter Meeting Information

The Meeting ID and Passcode will be posted on this page prior to the meeting time. When prompted, enter the Meeting ID **829 3874 6853**, followed by #.

After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

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1. CALL TO ORDER: 5:34 PPM
2. ROLL CALL
   Present: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels

   Absent: Offir Kehat

   Staff: John Calise, Executive Director Facilities Division; Rachel Brilliant, Dannis Woliver Kelley; Jennifer Gibb, Van Pelt Construction Services; Prachi Amin, Van Pelt Construction Services; Jennifer Kerr, Van Pelt Construction Services

3. PUBLIC COMMENT EXPLANATION

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Sharon Friedman, neighbor, commented that the communications on the meeting hadn't gotten to the neighbors of the Oxford site, the neighbors have always looked over the school, the path that is maintained by the path wanderers.

Ursula, neighbor, reiterated that the community wasn't aware of the 7-11 committee meetings and asked that the District be more proactive about communicating meeting details.

Leo Meyer, neighbor, reiterated the comments that the meetings should be better advertised and requested clarity of how the committee's report will be presented to the Board.

4. APPROVAL OF AGENDA
    a. Motion by Cathy Campbell, seconded by Dietmar Lorenz.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
    Abstain: none
    Nays: none
    Motion passes.

5. ADOPT A RESOLUTION AUTHORIZING ELECTRONIC MEETINGS
    a. Motion by Dietmar Lorenz, seconded by Kate Collignon.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
    Abstain: none
    Nays: none
    Motion passes.

6. APPROVAL OF MINUTES DECEMBER 13, 2022
    a. Motion by Cathy Campbell, seconded by James Rosberg.

Ayes: Beth Rine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Why Skeels
Abstain: none
Nays: none
Motion passes.

7. NON-AGENDA PUBLIC COMMENT
    a. Beth Rine, committee chair, opened the meeting for public comment on non-agenda items.
    No public comment.

8. SCHOOL SITE FACILITIES INFORMATION
    a. Jennifer Gibb reviewed enrollment trends and data for the District. Information has been made available in the committee members' digital binders, and Jennifer showed the Data Quest website where the provided information was extracted.
    b. Committee members reviewed and discussed the information provided.
9. REVIEW OF DRAFT 7-11 COMMITTEE RECOMMENDATION REPORT
    a. Comments received from committee members were reviewed and discussed by the committee.
    b. Motion to extend the meeting to 7:45 p.m. by Kate Collignon, seconded by Cathy Campbell.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Wyn Skeels
    Abstain: Stephanie Allan
    Nays: none
    Motion passes.
    c. Additional comments were received from members during the meeting and were reviewed by the committee. Committee agreed that comments will include information on how many members voted to include each item. Additional appendices will be added with a comment of the committee member that submitted the information.
    d. Motion to approve "declare site as" section by Cathy Campbell, seconded by Phyllis Orrick.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
    Abstain: none
    Nays: none
    Motion passes.
    e. Motion to recommend to "sell and proceeds used for the district needs" by Cathy Campbell, seconded by Stephanie Allan.
    Ayes: Beth Rhine, Cathy Campbell, James Rosberg, Kate Collignon, Stephanie Allan, Wyn Skeels
    Abstain: none

Nays: Dietmar Lorenz, Phyllis Orrick
Motion passes.

f. Motion to recommend "retain Oxford property and work towards using it for workforce housing under AB2295" by Dietmar Lorenz, seconded by Phyllis Orrick.
Ayes: Dietmar Lorenz, Kate Collignon, Phyllis Orrick
Abstain: James Rosberg
Nays: Beth Rhine, Cathy Campbell, Stephanie Allan, Wyn Skeels

g. Items to be clarified on the final report:
    i. Committee member background information
    ii. Board members list to be updated
    iii. Report will be proofread for typos and grammatical errors.

h. Staff clarified that the report will be circulated and information on the hearing will be sent through the District's communications team, the Alameda Times, posted at the District office and the Parker Street office, at the Oxford site, Council member Hahn's office, and sent to the community through former member Georgia Maslowski.

i. Motion to remove the second sentence on the appraisal comment on page 5 by Dietmar Lorenz seconded by Phyllis Orrick. Also clarify the amount of the appraisal
Ayes: Beth Rhine, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan
Abstain: Wyn Skeels
Nays: Cathy Campbell, Stephanie Allan
Motion passes.

j. Motion to remove section IX, Policy considerations by Phyllis Orrick, seconded by Dietmar Lorenz.
Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
Abstain: none
Nays: none
Motion passes.

k. Motion to extend the meeting for an additional 5 minutes to 7:50 by Dietmar Lorenz, seconded by Phyllis Orrick.
Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Wyn Skeels
Abstain: Stephanie Allan
Nays: none
Motion passes.

l. Motion to remove priority uses language from page 5 by Beth Rhine, seconded by Phyllis Orrick.
Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
Abstain: none
Nays: none

m. Motion to approve the draft report as it was edited in this meeting by Stephanie Allan, seconded by Phyllis Orrick.
   Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
   Abstain: none
   Nays: none
n. Staff requested that any additional comments members would like included in the report to be emailed to capitalprojects@berkeley.net as soon as possible. Staff will incorporate any items and prepare the draft for the public hearing.

10. ADJOURNMENT: 7:23 PM

Regular Virtual Meeting of the 7-11 Committee Meeting
Wednesday, January 25, 2023
5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

TBD

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1. CALL TO ORDER _____ P.M. [5:30 PM]

2. ROLL CALL [5:30 PM]

3. PUBLIC COMMENT EXPLANATION [5:32 PM]

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4. APPROVAL OF AGENDA [5:40 PM]

5. APPROVAL OF MINUTES JANUARY 11, 2023 [5:42 PM]

6. NON-AGENDA PUBLIC COMMENT [5:45 PM]

7. SCHOOL SITE FACILITIES INFORMATION [6:00 PM – 6:05 PM]
   John Calise, Executive Director
   Jennifer Gibb, Facilitator

   a. Information presented by staff and consultants regarding school site information.

8. DISCUSSION ON FINAL DRAFT 7-11 COMMITTEE RECOMMENDATION REPORT [6:10 – 7:15 PM]

9. ACTION [7:15 PM]
    a. Committee vote on Final Recommendation Report that is to be presented to the Berkeley Unified School District Board of Directors regarding the potential surplus of the previous home to Oxford Elementary School, (located at 1130 Oxford Street, Berkeley CA 94707).

10. ADJOURNMENT [7:30 PM]

DRAFT MINUTES FOR THE JANUARY 25, 2023 COMMITTEE MEETING

Minutes for

Regular Virtual Meeting of the 7-11 Committee Meeting

Wednesday, January 25, 2023

5:30 PM – 7:30 PM PST

Join with ZOOM

The zoom link, Meeting ID and Password will be posted here prior to the meeting time.

To join the public comment period of the November 2, 2022 7-11 Committee Meeting **click here.**

For the November 16 meeting, the meeting ID is **829 3874 6853** the Passcode is **979694**

Join by phone

Dial 669-900-6833

You will be prompted to enter the meeting information.

Enter Meeting Information

The Meeting ID and Passcode will be posted on this page prior to the meeting time. When prompted, enter the Meeting ID **829 3874 6853**, followed by #.

After that, follow prompt to enter the meeting Passcode **979694**, followed by #.

---

1. CALL TO ORDER: 5:32 PM
2. ROLL CALL
   Present: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels

   Staff: John Calise, Executive Director Facilities Division; Rachel Brilliant, Dannis Woliver Kelley; Jennifer Gibb, Van Pelt Construction Services; Prachi Amin, Van Pelt Construction Services; Jennifer Kerr, Van Pelt Construction Services

3. PUBLIC COMMENT EXPLANATION

DRAFT MINUTES FOR THE JANUARY 25, 2023 COMMITTEE MEETING

The Committee hears public comment at each meeting. There are two opportunities for public comment at each meeting. The first is for agenda items and the second is for non-agenda items.

The Committee Chairperson will introduce the allotted period of time for public comments, organize the comments, and indicate who will be speaking next. If you wish to speak, you must 'Raise Your Hand' before the comment period begins so you can get in line to speak. If you raise your hand after the comment period has started you will likely not be able to speak during that comment period. Public comments are limited to three (3) minutes per person unless there are too many people requesting to speak, in which case the Committee Chair may limit comments to less than three (3) minutes per person.

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[5:36 - 5:57]

Mati Teiblum, resident and BUSD parent, voiced that the community wasn't well informed about the meetings.

Debbie Shrem, BUSD parent, voiced disappointment that she had only recently learned of the committee meetings and spoke in favor of potential teacher housing.

Sharon Friedman, neighbor, commented on lack of communication and wished that more community members had been able to attend the meetings to provide input, and that BUSD has the opportunity to set an example of support for employees with the potential of workforce housing.

Motion by Cathy Campbell to extend the public comment period and reduce the time allotted for the public comment period later in the agenda, seconded by Dietmar Lorenz.
Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
Abstain: none
Nays: none
Motion passes.

Gail, neighbor, voiced that the community was not well informed of the committee meetings, is in support of teacher housing, and that the value of the property is higher than the $2M appraisal.

Alix Quay, neighbor, voiced that the neighbors should be taken into consideration when deciding what to do with the property moving forward.

Linda Wolan, neighbor, voiced that they were not well informed of the meetings; understand that the site is not structurally safe to be used as a school, neighbors should be considered in any decisions as well as potential construction impacts to the neighborhood.

Meri Issel, neighbor, voiced concern of a rumor that the school was closed to be rebuilt and there has been no progress on construction moving forward.

4. APPROVAL OF AGENDA
    a. Motion to approve with adjustment of public comment periods by Cathy Campbell, seconded by Kate Collignon.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
    Abstain: none
    Nays: none
    Motion passes.

5. APPROVAL OF MINUTES JANUARY 11, 2023
    a. Motion by Stephanie Allan, seconded by James Rosberg.
    Ayes: Beth Rine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Why Skeels
    Abstain: none
    Nays: none
    Motion passes.

6. NON-AGENDA PUBLIC COMMENT
    a. Beth Rine, committee chair, opened the meeting for public comment on non-agenda items.

    [5:59 - 6:06]

    Mati Teiblum, resident and BUSD parent, mentioned that there should have been broader thinking with the recommendations; if the site is used for workforce housing it should not be run by BUSD; selling the site for $2M would be a loss for the district; low income housing would be a good use of the site if not run by BUSD or partnered with the city.

    Marion Hunt mentioned that they heard of the meeting from Councilmember Hahn's newsletter; voiced that the site should not be used for anything not educational related, and spoke in support of housing at the site.

    Teri Gerritz spoke in support of teacher housing to help with retention, mentioned that most districts are struggling with teacher housing, and that selling the property for $2M would not be beneficial to the district.

DRAFT MINUTES FOR THE JANUARY 25, 2023 COMMITTEE MEETING

7. SCHOOL SITE FACILITIES INFORMATION
    a. John Calise spoke on the postings and advertisements that were done to communicate the committee meetings.
8. DISCUSSION ON FINAL DRAFT 7-11 COMMITTEE RECOMMENDATION REPORT
    a. Committee members reviewed and gave final comments on the draft committee report.
    b. Motion to remove “representative of District’s Citizens’ Advisory Committee” from page 3, section 6, Summary of Work by Cathy Campbell, seconded by Dietmar Lorenz.
    Ayes: Beth Rhine, Cathay Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
    Abstain: none
    Nays: none
    Motion passes.
9. ACTION
    a. Motion to approve the report as amended in this meeting by Cathy Campbell, seconded by Stephanie Allan.
    Ayes: Beth Rhine, Cathy Campbell, Dietmar Lorenz, James Rosberg, Kate Collignon, Phyllis Orrick, Stephanie Allan, Wyn Skeels
    Abstain: none
    Nays: none
    Motion passes.
10. ADJOURNMENT: 7:01 PM

Appendix B – Current and Projected Enrollments

California Department of Education

DataQuest Home / Enrollment Report

2019-20 Enrollment by Grade

Berkeley Unified Report (01-61143)

+ Report Description

− Report Options and Filters

Report Selection

Report:
Enrollment by Grade (with School data)

County:
01 - Alameda

District:
0161143 - Berkeley Unified

School:
- Select a School

Year:
2019-20

Report Filters

School Type:
(●) All Schools ( ) Charter ( ) Non-Charter

Gender:
(●) All Students ( ) Male ( ) Female ( ) Non-binary

English Learners:
(●) All Students ( ) Yes ( ) No

Students With Disabilities:
(●) All Students ( ) Yes ( ) No

Program Subgroups:

- No Subgroup Filters

Display Options

View Data As:

(•) **Percents** ( ) **Numbers**

Sort by Column:

Name

(•) **Ascending** ( ) **Descending**

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Berkeley Arts Magnet at Whittier	**408**	16.2%	20.1%	15.2%	18.9%	14.0%	15.7%	0.0%	0.0%	0.0%	0.0%
Berkeley High	**3,255**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%
Berkeley Technology Academy	**53**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Cragmont Elementary	**356**	21.3%	17.7%	16.0%	12.6%	15.2%	17.1%	0.0%	0.0%	0.0%	0.0%
Emerson Elementary	**317**	14.5%	19.9%	13.6%	18.9%	14.5%	18.6%	0.0%	0.0%	0.0%	0.0%
Jefferson Elementary	**443**	19.9%	15.8%	15.6%	14.4%	16.7%	17.6%	0.0%	0.0%	0.0%	0.0%
John Muir Elementary	**316**	19.9%	13.3%	18.0%	13.6%	17.7%	17.4%	0.0%	0.0%	0.0%	0.0%
Longfellow Arts and Technology Middle	**503**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	33.8%	33.4%	32.8%	0.0%
Malcolm X Elementary	**552**	22.6%	16.1%	14.5%	14.7%	13.6%	18.5%	0.0%	0.0%	0.0%	0.0%

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Martin Luther King Middle	**983**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	33.8%	34.0%	32.2%	0.0%
Nonpublic, Nonsectarian Schools	**43**	0.0%	0.0%	2.3%	0.0%	7.0%	4.7%	11.6%	4.7%	2.3%	0.0%
Oxford Elementary	**263**	15.6%	16.7%	13.3%	15.2%	21.7%	17.5%	0.0%	0.0%	0.0%	0.0%
Rosa Parks Environmental Science	**451**	19.7%	14.2%	15.1%	18.2%	17.3%	15.5%	0.0%	0.0%	0.0%	0.0%
Sylvia Mendez Elementary	**385**	24.7%	17.4%	15.8%	14.3%	14.3%	13.5%	0.0%	0.0%	0.0%	0.0%
Thousand Oaks Elementary	**390**	15.9%	16.9%	14.4%	18.2%	16.7%	17.9%	0.0%	0.0%	0.0%	0.0%
Washington Elementary	**425**	15.8%	16.0%	15.5%	18.6%	18.4%	15.8%	0.0%	0.0%	0.0%	0.0%
Willard Middle	**701**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	31.8%	31.8%	36.4%	0.0%

Report Totals

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Berkeley Unified	**9,844**	8.3%	7.3%	6.7%	7.1%	7.1%	7.4%	7.4%	7.4%	7.5%	0.0%
Alameda County	**227,331**	8.7%	7.5%	7.6%	7.6%	7.5%	7.4%	7.5%	7.5%	7.7%	0.0%
Statewide	**6,163,001**	8.5%	7.2%	7.3%	7.4%	7.4%	7.3%	7.6%	7.7%	7.9%	0.0%

California Department of Education

DataQuest Home / Enrollment Report

2020-21 Enrollment by Grade

Berkeley Unified Report (01-61143)

+ Report Description

− Report Options and Filters

Report Selection

Report:
Enrollment by Grade (with School data)

County:
01 - Alameda

District:
0161143 - Berkeley Unified

School:
- Select a School

Year:
2020-21

Report Filters

School Type:
(●) All Schools ( ) Charter ( ) Non-Charter

Gender:
(●) All Students ( ) Male ( ) Female ( ) Non-binary

English Learners:
(●) All Students ( ) Yes ( ) No

Students With Disabilities:
(●) All Students ( ) Yes ( ) No

Program Subgroups:

- No Subgroup Filters

Display Options

View Data As:

(•) **Percents** ( ) **Numbers**

Sort by Column:

Name

(•) **Ascending** ( ) **Descending**

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Berkeley Arts Magnet at Whittier	**387**	15.0%	16.0%	20.2%	15.2%	18.9%	14.7%	0.0%	0.0%	0.0%	0.0%
Berkeley High	**3,257**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Berkeley Technology Academy	**32**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Cragmont Elementary	**313**	16.6%	20.8%	16.9%	16.0%	13.4%	16.3%	0.0%	0.0%	0.0%	0.0%
Emerson Elementary	**308**	16.2%	14.9%	19.8%	14.6%	18.8%	15.6%	0.0%	0.0%	0.0%	0.0%
Jefferson Elementary	**411**	16.8%	16.1%	16.3%	16.5%	15.6%	18.7%	0.0%	0.0%	0.0%	0.0%
John Muir Elementary	**291**	12.4%	20.6%	13.1%	18.2%	17.5%	18.2%	0.0%	0.0%	0.0%	0.0%
Longfellow Arts and Technology Middle	**475**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	29.9%	36.0%	34.1%	0.0%
Malcolm X Elementary	**488**	17.4%	17.2%	17.8%	16.2%	16.6%	14.8%	0.0%	0.0%	0.0%	0.0%

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Martin Luther King Middle	**958**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	31.8%	33.9%	34.2%	0.0%
Nonpublic, Nonsectarian Schools	**51**	0.0%	0.0%	2.0%	0.0%	0.0%	3.9%	7.8%	7.8%	3.9%	0.0%
Oxford Elementary at West Campus	**242**	16.5%	16.1%	16.5%	14.9%	15.3%	20.7%	0.0%	0.0%	0.0%	0.0%
Rosa Parks Environmental Science	**419**	17.4%	14.1%	14.8%	16.0%	18.9%	18.9%	0.0%	0.0%	0.0%	0.0%
Sylvia Mendez Elementary	**386**	23.1%	16.3%	17.1%	15.0%	13.2%	15.3%	0.0%	0.0%	0.0%	0.0%
Thousand Oaks Elementary	**362**	15.2%	17.4%	16.9%	14.6%	18.0%	18.0%	0.0%	0.0%	0.0%	0.0%
Washington Elementary	**395**	14.2%	16.5%	16.7%	15.4%	18.0%	19.2%	0.0%	0.0%	0.0%	0.0%
Willard Middle	**634**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	31.9%	33.6%	34.5%	0.0%

Report Totals

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Berkeley Unified	**9,409**	7.0%	7.1%	7.2%	6.7%	7.1%	7.3%	6.9%	7.6%	7.6%	0.0%
Alameda County	**222,573**	8.1%	7.4%	7.5%	7.6%	7.6%	7.5%	7.3%	7.5%	7.6%	0.0%
Statewide	**6,002,523**	7.7%	7.1%	7.2%	7.3%	7.5%	7.5%	7.4%	7.7%	7.8%	0.0%

California Department of Education

DataQuest Home / Enrollment Report

2021-22 Enrollment by Grade

Berkeley Unified Report (01-61143)

+ Report Description

− Report Options and Filters

Report Selection

Report:
Enrollment by Grade (with School data)

County:
01 - Alameda

District:
0161143 - Berkeley Unified

School:
- Select a School

Year:
2021-22

Report Filters

School Type:
(●) All Schools ( ) Charter ( ) Non-Charter

Gender:
(●) All Students ( ) Male ( ) Female ( ) Non-binary

English Learners:
(●) All Students ( ) Yes ( ) No

Students With Disabilities:
(●) All Students ( ) Yes ( ) No

Program Subgroups:

- No Subgroup Filters

Display Options

View Data As:

(•) **Percents** ( ) **Numbers**

Sort by Column:

Name

(•) **Ascending** ( ) **Descending**

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Berkeley Arts Magnet at Whittier	**381**	14.4%	16.0%	16.5%	18.6%	16.5%	17.8%	0.0%	0.0%	0.0%	0.0%
Berkeley High	**3,222**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Berkeley Technology Academy	**52**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Cragmont Elementary	**296**	19.6%	13.9%	22.3%	14.2%	14.9%	15.2%	0.0%	0.0%	0.0%	0.0%
Emerson Elementary	**281**	15.3%	17.4%	14.2%	18.9%	16.0%	18.1%	0.0%	0.0%	0.0%	0.0%
John Muir Elementary	**258**	15.9%	11.6%	21.3%	14.0%	18.2%	19.0%	0.0%	0.0%	0.0%	0.0%
Longfellow Arts and Technology Middle	**468**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	32.3%	31.6%	36.1%	0.0%
Malcolm X Elementary	**473**	21.4%	12.3%	17.5%	16.9%	16.1%	15.9%	0.0%	0.0%	0.0%	0.0%
Martin Luther King Middle	**941**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	32.2%	33.2%	34.6%	0.0%

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Nonpublic, Nonsectarian Schools	**46**	0.0%	0.0%	0.0%	0.0%	2.2%	2.2%	4.3%	8.7%	4.3%	0.0%
Oxford Elementary at West Campus	**236**	13.6%	18.2%	17.4%	16.1%	18.6%	16.1%	0.0%	0.0%	0.0%	0.0%
Rosa Parks Environmental Science	**397**	17.6%	15.4%	15.1%	16.1%	16.4%	19.4%	0.0%	0.0%	0.0%	0.0%
Ruth Acty Elementary	**387**	19.1%	15.2%	17.3%	15.8%	17.3%	15.2%	0.0%	0.0%	0.0%	0.0%
Sylvia Mendez Elementary	**412**	20.1%	14.6%	17.5%	16.7%	15.3%	15.8%	0.0%	0.0%	0.0%	0.0%
Thousand Oaks Elementary	**339**	15.0%	16.2%	17.4%	17.4%	15.0%	18.9%	0.0%	0.0%	0.0%	0.0%
Washington Elementary	**388**	18.0%	16.2%	15.2%	17.3%	15.5%	17.8%	0.0%	0.0%	0.0%	0.0%
Willard Middle	**600**	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	30.3%	33.7%	36.0%	0.0%

Report Totals

Name	Total	Grade K	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Ung Eler
Berkeley Unified	**9,177**	7.4%	6.3%	7.2%	7.0%	6.8%	7.2%	7.0%	7.3%	7.8%	0.0%
Alameda County	**214,602**	8.1%	7.2%	7.4%	7.5%	7.5%	7.5%	7.4%	7.4%	7.6%	0.0%
Statewide	**5,892,240**	8.0%	6.9%	7.2%	7.2%	7.4%	7.5%	7.5%	7.4%	7.8%	0.0%

Appendix C – Photographs and Depiction of Property



The subject consists of the Oxford Elementary School campus that was originally the site of an elementary school in 1909 and ultimately rebuilt in 1965 in its current configuration. The property contains one large threestory building (with the multipurpose room having only one story) having ±32,624 Sq.Ft. of building area on a site of ±54,847 Sq.Ft. Street frontages are 207.72 feet on Oxford Street and 190.94 feet on Walnut Street. The lot depth between the two streets is 284.28 on the north line to 293.66 on the south boundary. Topography is down sloping from Oxford Street with an elevation change of ±60 feet.

Appendix D – Documents Available to and Evaluated by the 7-11 Committee

1. Committee Member List
2. Property at 1130 Oxford Street, Berkeley, CA 94707
    a. Overview Property Description
    b. Geologic Hazards Study Report
        i. Board Report 11/6/2019
    c. Appraisal Report
3. The Role of the 7-11 Advisory Committee in School Consolidation/Property Disposition
4. Brown Act Primer
5. 7-11 Committee Legal Review
    a. Duries of the Committee
    b. Road Map of Committee Tasks
    c. Surplus Property Concept Overveiw
    d. Highest and Best Use
    e. Use of Proceeds
    f. Recommendations for Use
6. Surplus Real Property Disposition Chart
7. Overview of City of Berkeley Zoning Policies and Processes
8. Tempalte for Report Board Recommendations
9. Correspondence with the Committee
    a. Correspondence with Committee

Documents available on district website : https://www.berkeleyschools.net/7-11-committee/

Appendix E: Additional Comments

1) To sell this property and use the proceeds to meet District needs.

None

2) To retain ownership of this property and to work towards workforce housing, preferably through AB2295.

Vice-Chair – Dietmar Lorenz

> *My recommendation to explore workforce housing as a future use for 1130 Oxford is based on the following findings:*
>
> *1) The site is within walking or biking distance of several school sites (Cragmont, Thousand Oaks, BAM, King Middle).*
>
> *2) Four AC Transit bus lines within one or two blocks (Henry St. and Spruce St.) provide direct connections to central Berkeley (BHS), and to South Berkeley.*
>
> *3) Berkeley Hills neighborhoods fall short in providing affordable housing and in efforts to mitigate the housing crisis, which may constitute a violation of the General Plan Housing Element requirements and jeopardize state/grant funding as outlined in this letter by Councilmember Kesarwani (D1): http://www.rashikesarwani.com/wpcontent/uploads/2022/07/Housing-Element-Comment-Letter-CM-Rashi-Kesarwani-1.pdf As affordable workforce housing at 1130 Oxford Street would "affirmatively further fair housing", there is a shared interest with the City of Berkeley, which should result in city support.*
>
> *4) Surplus property that stays within BUSD ownership falls under the streamlined permitting of AB2295.*
>
> *5) Safety concerns seem to focus on first responder access and evacuation. The 1130 Oxford St. site is at the bottom and near the edge of the slide zone, with two streets and a path flanking the site. Therefore, residential development should not be dismissed outright but undergo proper review by experts to establish feasible development scenarios.*
>
> *6) The appraisal report identifies housing development as the highest and best use. It is in BUSD's purview to decide if the end result would be a few large homes by a private developer or dozens of workforce housing units in a missing-middle scale that fits the neighborhood while serving BUSD and the community at large.*

Committee Member – Phillis Orrick

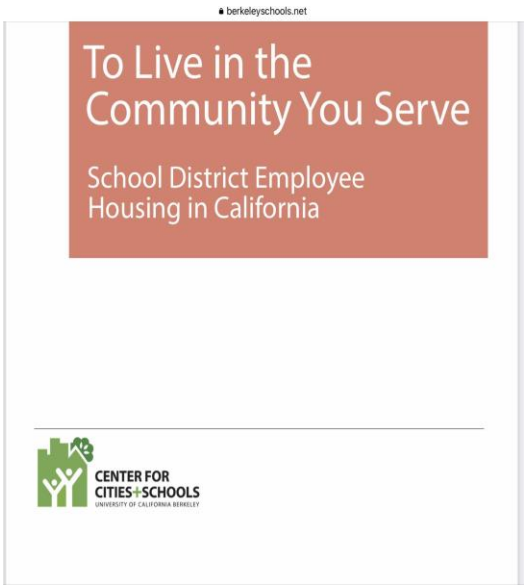
> *As a member of the 7-11 Advisory Committee on the surplus designation of the former site of Oxford elementary School at 1130 Oxford St. I would like to register the following observations and recommendations and ask that they be included in the final report.—Phyllis Orrick*
>
> *The former site of Oxford Elementary should be declared surplus property and developed as multi-family housing affordable to low and moderate income BUSD*

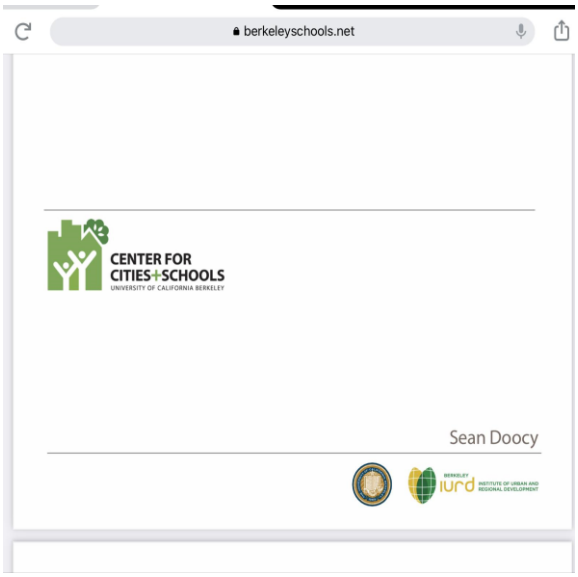
employees and, if needed, to any other Berkeley public sector employees who meet the income requirements.

Adding more BUSD workforce housing will reduce climate impacts by bringing workers closer to their place of employment. As of a 2017 survey commissioned by BUSD, 70% of BUSD employees—homeowners and renters—lived outside of Berkeley. Among renters, that was 74%.

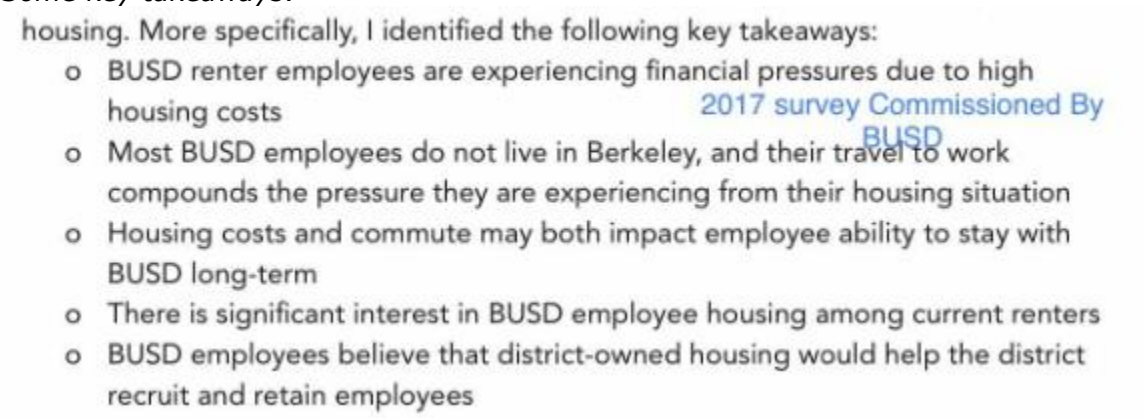
This parcel represents a once-in-a-lifetime opportunity to add multi-family housing affordable to BUSD employees and start to address a pattern of imbalance in the City of Berkeley' failure to affirmatively further fair housing (AFFH) by allocating multi-family affordable or moderately priced multi-family developments outside of higher resourced parts of the city.

The District has acknowledged the critical need for housing in Berkeley that its employees can afford. It commissioned a survey and analysis in 2017 by a UC Berkeley research group on housing pressures on employees and options for addressing them.





Some key takeaways:



According to the consultant for BUSD, in 2017, more than half of employees who rent were cost burdened and 20% were severely cost burdened. HUD standards

- *for cost burden: >30% of income on rent*
- *For severe cost burden:>50 % on rent*

In Alameda County, in 2016, 1.2% of homes were affordable for the average teacher salary; down from 24.5% in 2012. Teacher salaries on average rose 4.6% in the same period.

From the consultant's report on the 2017 survey:



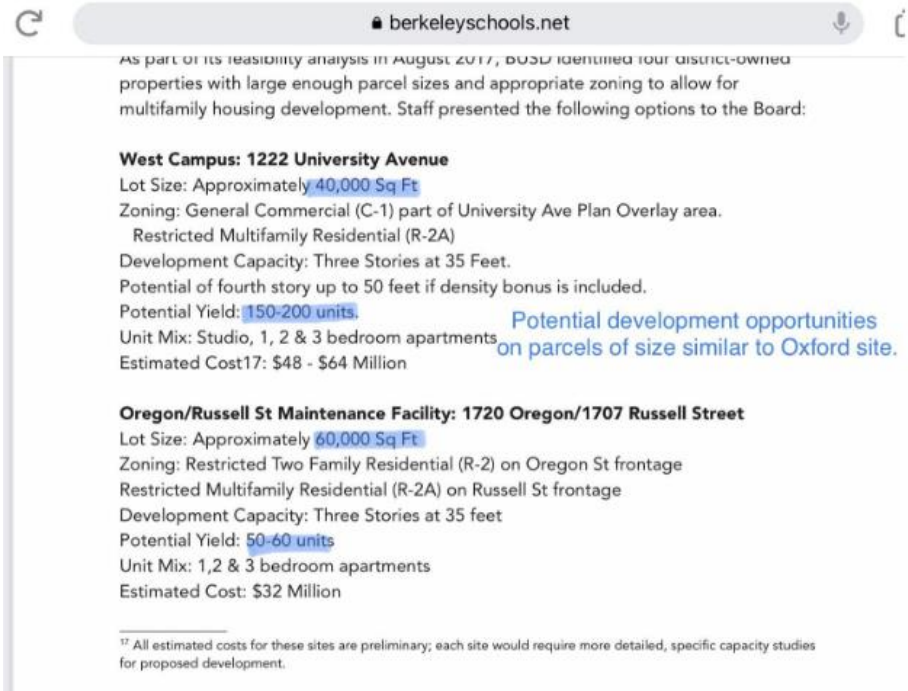
findings show that there is significant interest in low-rent BUSD-owned employee housing among renters, and that both renters and owners agree that district housing would help with recruitment and retention.

74% of renters **would be interested** in living in BUSD-owned employee housing

74% of renters would be interested in living in BUSD-owned employee housing and 67% of renters think the option of BUSD housing would increase the likelihood that they continue to work in the district. As one employee succinctly put it, "I would consider staying with the district if low cost housing was available." Employees offered a range of reasons why they would be interested in this housing, from reduced commute to increased camaraderie with coworkers to housing that is higher quality and allows them to save on rent. The latter was a key point, as I found that on the whole, employees did not see BUSD housing as an alternative to homeownership but rather as a potential avenue to homeownership. "If there was low cost temporary housing, I could actually save for a down payment on a home," noted one employee. "This could change everything for my family." Another employee stated, "I'm interested in affordable housing options because that would allow me the opportunity to save up money towards buying a home close to where I work… and thus continue to live in the community I serve."

—This is an unusual opportunity, a 1.25-acre (54,000+ sq ft-parcel) in the lower Berkeley Hills, close to transit and centrally located in a higher-resourced part of the city.

An architect on the 7-11 Advisory committee has said the parcel could accommodate 40-60 multi-family units and the district's own consultants have offered similar assessments for similarly sized parcels.



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As part of its feasibility analysis in August 2017, BUSD identified four district-owned properties with large enough parcel sizes and appropriate zoning to allow for multifamily housing development. Staff presented the following options to the Board:

West Campus: 1222 University Avenue
Lot Size: Approximately 40,000 Sq Ft
Zoning: General Commercial (C-1) part of University Ave Plan Overlay area.
Restricted Multifamily Residential (R-2A)
Development Capacity: Three Stories at 35 Feet.
Potential of fourth story up to 50 feet if density bonus is included.
Potential Yield: 150-200 units.
Unit Mix: Studio, 1, 2 & 3 bedroom apartments
Estimated Cost17: $48 - $64 Million

Potential development opportunities on parcels of size similar to Oxford site.

Oregon/Russell St Maintenance Facility: 1720 Oregon/1707 Russell Street
Lot Size: Approximately 60,000 Sq Ft
Zoning: Restricted Two Family Residential (R-2) on Oregon St frontage
Restricted Multifamily Residential (R-2A) on Russell St frontage
Development Capacity: Three Stories at 35 feet
Potential Yield: 50-60 units
Unit Mix: 1,2 & 3 bedroom apartments
Estimated Cost: $32 Million

[17] All estimated costs for these sites are preliminary; each site would require more detailed, specific capacity studies for proposed development.

The appraisal commissioned by the district did not evaluate the possibility of workforce housing or any multi-family housing, setting the development potential at much fewer (10-20) quite large single-family houses.

The District's own consultant who produced an extensive analysis and study on the need for housing affordable to BUSD employees and evaluated said that a close look at using surplus property is critical to the effort (section 3, item e below).

—The District can help Berkeley meet its Regional Housing Needs Assessment goals and help it avoid incurring penalties under state law.

As it stands, Berkeley's Housing inventory submitted under the RHNA falls woefully short of sites that will realistically be developed. And it falls short on its share of low- and moderate-income housing, so-called "missing middle." Finally because it biases dense development sites away from higher-resourced areas, the city's inventory has been found to fail to affirmatively further fair housing (AFFH).

The city's inventory of potential housing lists the Oxford site as having seven units, while the BUSD appraiser said it could hold 10-20 SFH, none of which would be affordable to the BUSD employees currently being priced out of the Berkeley ownership and rental markets. However, under SB 2295, up to 60 units could be built, nearly 10 times what the city listed for it and up to six times the appraiser's estimate, and they would be affordable to "missing middle" owners and renters.

Under AB 2295, the district could benefit from streamlined permitting as of January 2024, provided BUSD retained ownership of the parcel, according to an analysis by BUSD attorneys and consultants advising the 7-11 committee. Details from their analysis and an earlier consultant report follow:

- *Assembly bill No. 2295 overrides the local general plan and zoning process … by making housing an allowable use on school district property across the state.…[T]he Teacher Housing Act of 2016 authorizes school districts to pursue workforce housing projects … [and allows] the Berkeley Unified School District [to] utilize existing legal authority to develop a housing project on the Oxford property site.*
- *This legislation deems residential housing developments on local educational property as "allowable uses" when these projects meet certain criteria beginning in January of 2024.*
- *In the event a district's housing development project satisfies all the criteria … the housing will be deemed consistent with local development standards, zoning codes or maps, and the general plan.*
- *In order to take advantage of the streamlining of projects under AB 2295, the district would have to retain ownership of the parcel.*

An earlier analysis by a consultant commissioned by BUSD to study workforce housing options also advised BUSD to utilize long-term leases of surplus parcels to facilitate affordable housing development on district property.

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Critical role for surplus properties:
2018 consultant report to BUSD

3. Critically Assess Surplus Properties

Districts looking to build their own housing must first undertake a comprehensive assessment of all their properties to determine whether any properties can be (1) designated as surplus and (2) developed into multifamily affordable housing. There is no guarantee that a district will have appropriate surplus property for this purpose, but many districts have been able to identify shuttered school buildings, underutilized plots of land, or expansive surface parking lots that offer opportunities for development. With the streamlined surplus process instituted as part of AB-1157, California districts now have more incentive to leverage their own property wherever possible.

—Multi-family housing would be a suitable use for the site.

The seismic concerns that caused BUSD to move the staff and students of Oxford Elementary would not rule out multi-family housing. BUSD has stated that its main concern with the Oxford site was not the seismic vulnerability of the school building, which was deemed seismically safe, but that a seismic event could damage streets and other infrastructure so as to interfere with the evacuation of the several hundred elementary school children and teachers and staff.
There are a handful of multi-family housing developments nearby, notably Normandy Village (see below) and the Henry Street townhouses.

