

President Bettye Lusk and Board members
Monterey Peninsula Unified School District
March 11, 2021

Dear President Lusk and MPUSD Board Members:

My name is Marta Kraftzeck and I have been a neighbor of Monterey High School for over 65 years. Our property adjoins the MHS campus via a wetland area that ultimately flows to Hartnell Gulch. The wetland area forms the northern boundary of the MHS campus from Herrmann Drive east to Pacific Street. My parents built our home in 1948 and I grew up there. My home is my most significant asset.

Some neighbors and other concerned taxpayers wanted me **to share a little background with you on how MPUSD has arrived at this point with the Monterey High Stadium and Parking project**, especially as there are new Board Members that might not know the history and the chronology is not clear from the MPUSD Board meeting packets. This chronology was **prepared from public records**, including from the records disclosed as a result of the Taxpayers for MPUSD Accountability lawsuit against MPUSD. We offer this information in the hope it will help.

This is not the first attempt by MPUSD to propose stadium lights on the MHS field. In 2006 the neighbors met with the Superintendent and MPUSD Board members toured the MHS campus, listened to neighborhood concerns and expressed willingness to be a good neighbor.

2006: MPUSD decided to refurbish the MHS football field. Neighbors found out about the prospect of permanent stadium lights due to a Herald article quoting a coach boasting about prospect of stadium lights. Numerous neighborhood meetings hosted by MPUSD were held and although support for the field renovation was expressed so were concerns about the lights. These meetings were open to neighbors and the planners described the project in detail. This is in direct contrast to how MPUSD has handled their current second attempt to put stadium lights on the field at MHS, which is to give as little information as possible to the neighborhoods and be as secretive as possible about the plans.

MPUSD listened to the concerns of the neighbors regarding the stadium lights and took them seriously. At the **February 5, 2007**, MPUSD Board of Education Regular Meeting, a Use Agreement, between the neighbors and MPUSD, was read into the minutes titled:

RULES FOR USE OF THE MONTEREY HIGH SCHOOL FIELD AND STADIUM

MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

TO: Board of Education
DATE: February 5, 2007
ITEM: **REPORT:** Rules for the Use of the Monterey High School Field and Stadium

INTRODUCTION:

Monterey High School Principal Dan Albert and Former Superintendent John Lamb met with a group of Monterey High School community members who have expressed concerns about the safety and tranquility of their neighborhood due to night time and Sunday use of the track and field. Following a productive discussion the attached rules were mutually developed to address their concerns.

BACKGROUND:

Board members have received letters and heard public comment regarding these concerns. This set of rules for use of this facility will apply to any non-school group wanting to use this facility, as well as to use by the school.

OBJECTIVE:

To report the rules for use of the Monterey High School field and stadium.

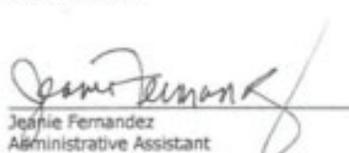
COST/FUNDING SOURCE/FISCAL IMPACT:

Not Applicable.

RECOMMENDATION(S):

That the Board of Education receive the report related to use of the Monterey High School field and stadium.

PREPARED BY


Jeanie Fernandez
Administrative Assistant

APPROVED FOR SUBMISSION TO THE BOARD OF EDUCATION


Dr. Marilyn K. Shepherd, Superintendent

MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

RULES FOR USE OF THE MONTEREY HIGH SCHOOL FIELD AND STADIUM

1. There will be no use of the field and stadium on Sundays.
2. No use of the fields by the school may begin before 8:00 a.m. on Saturdays and must end by sunset.
3. Loud speakers used by the school shall not begin before 9:00 a.m. for any event.
4. No portable lights may be used on the field or practice fields by non-school groups.
5. Non-school related group use shall not begin before 9:00 a.m. and must end by 5:00 p.m. on Saturdays. On weekdays use of the fields must end by 6:00 p.m.
6. Non-school related groups shall not use a loud speaker system.

September 2009: The MHS field was renovated. MHS announces that it will be hosting the first of the night games on October 2, 2009 on the refurbished field.

September 30, 2009: Superintendent Marilyn Shepherd responds to neighbor's concerns stating: "You are correct that if the District were to pursue permanent lights, MPUSD would, in fact have to complete an EIR."

October 2009: The neighborhood contacts the MPUSD to get them to codify the use of the lights per our agreements. In the October 26, 2009 MPUSD Board of Trustees Meeting, in the Superintendent's Report it was stated that MPUSD's position was to allow temporary lights for a maximum of four football games per year and there were NO plans to put permanent lights at the MHS field.

MPUSD BOARD OF TRUSTEES MEETING
October 26, 2009

Superintendent Shepherd's Report

MONTEREY HIGH SCHOOL NEIGHBORHOOD MEETING

-  • Eight community members met with Principal Crockett, Dan Albert, and myself.
-  • Community members do not want any activities after dusk which requires lights; District and non-District use. In addition, they do not want the District to rent the field on Sundays.

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-  • Community members want all Monterey High School home games at Monterey Peninsula College or to hold Saturdays during the day.
 -  • The community members believe for use of temporary lights the District needs to go through California Environmental Quality Act (CEQA) process. The MPUSD environmental consultants have advised staff that temporary lights do not require the CEQA process.
 -  • The District position is to allow temporary lights a maximum of four football games per year.
 -  • Football games with anticipated large crowds, re: Seaside, Carmel, North Salinas High, would be held at MPC.
 -  • For the 2009-2010 school year there will be a total of two night games.
 -  • For the current year MPUSD will not allow non-District organizations to use lights on the MHS field.
 -  • There are no plans to put permanent lights at Monterey High School field.

The neighbors and neighborhood felt that we had a firm agreement with MPUSD and night football games were held from 2009 until 2019.

November 2017: The MPUSD board approves an expenditure of \$16,500 for concept development of a new lower athletic field at MHS with Verde Design.

[Agenda Item IX.d. MPUSD Board Meeting 11.14.17](#)

January 8, 2018: MPUSD releases lengthy a **Facilities Needs Assessment** of all schools in the District. Each school was identified and discussed separately. The assessment then identified the capital facilities needs at each school. This was the document that MPUSD used to show the sad state of school facilities and to help form the basis for and move forward with putting a \$213 million bond measure on the ballot. Photographs from the assessment showing the bad state of existing facilities were used in the pro-Measure I election campaign.

The Facilities Needs Assessment identified **that MHS had over \$95 million dollars of facilities needs** including **\$4.5 million** to renovate the gym. Windows that need to be replaced at an estimated cost of **\$5.3 million**, the 50-year-old portables have still not been replaced, estimated cost of **\$2.3 million**. There was no mention of a stadium renovation or stadium lights and new bleachers. **The District Board has not addressed the \$95 million in identified needs, and instead at the Superintendent’s urging the MPUSD staff proceeded with developing plans for a \$10 million project for a new athletic field, installation of stadium lights, bleachers and an additional \$5.5 million for parking improvements on the MHS campus.** Again, none of these projects were even mentioned as a “need” in 2018 for Monterey High School, and they are not needs. The true MHS needs remain unmet.

The document below shows some of the information for Monterey High School that is a list included in the MPUSD Facilities Needs Assessment document that was released on January 8, 2018. It gives you some idea of the lengthy list of capital needs at Monterey High School. (The 2018 report was pre-pandemic, and now there are even more facilities’ needs to make Monterey High and all schools safe for reopening.)

MONTEREY LEARNING COMMUNITY

1/9/18

School Name:						Monterey HS	
Location:	Item:	Description:	\$/per	Unit	Qty	Subtotal:	
Classrooms Qty:					59		
Classroom SF					87,000		
MPR SF					11,900		
Admin SF					7,700		
Gym SF					30,000		
Restroom SF					4,200		
Total Campus SF					154,800		
Handout SF					32,460		
Field SF					275,800		
Park / Dropoff SF					105,545		
Classroom	Flooring	New VCT or Carpet flooring	\$ 5.50	sf	87,000	\$ 478,500	
Classroom	Paint	Paint classrooms interiors	\$ 2.75	sf	99,120	\$ 272,580	
Classroom	Tackboards	New Tackboard on two walls.	\$ 12.00	sf	16,520	\$ 198,240	
Classroom	Ceiling Finish	Paint / Repair Ceilings	\$ 4.00	sf	87,000	\$ 348,000	
Campus	Door hardware	Replace door hardware at existing doors	\$ 350.00	ea	188	\$ 65,800	
Campus	Doors	Replace doors (assume 50%)	\$ 2,000.00	ea	94	\$ 188,000	
Classroom	Casework	Replace / improve casework (20LF)	\$ 350.00	lf	1,180	\$ 413,000	
Classroom	Plumbing	Replace classroom sink / cabinet	\$ 2,000.00	ea		\$ -	
Classroom	Lighting	Replace classroom lighting & controls	\$ 20.00	sf	87,000	\$ 1,740,000	
Classroom	Windows	Replace windows with alum. dbl. glazed windows. Assume 12'x35'x1.5" of glazing per CR.	\$ 100.00	sf	53,690	\$ 5,369,000	
Classroom	Window Shades	New roller shades 60LF per CR.	\$ 12.00	sf	53,690	\$ 644,280	
Classroom	HVAC	Replace ceiling furnaces with new furnace closet on building exterior wall. New framed opening, slab, and stucco finishes	\$ 25.00	sf	87,000	\$ 2,175,000	
Classroom	HVAC	Add ducts for fresh air ventilation	\$ 12.00	sf	87,000	\$ 1,044,000	
Classroom	Electrical	Add 10 new outlets per classroom	\$ 500.00	ea	590	\$ 295,000	
Classroom	AV / IT	Upgrade AV (allowance)	\$ 2,500.00	ea	59	\$ 147,500	
Classroom	Abatement	Misc. interior demo	\$ 6.00	sf	87,000	\$ 522,000	
Restrooms	Misc	Restrooms - Full Upgrade	\$ 850.00	sf	2,100	\$ 1,785,000	
Restrooms	Misc	Restrooms - Minor Upgrade	\$ 250.00	sf	2,100	\$ 525,000	
MPR / Kitchen	Flooring	New VCT	\$ 5.50	sf	11,900	\$ 65,450	
MPR / Kitchen	Paint	Paint Interiors	\$ 2.75	sf	7,854	\$ 21,599	
MPR / Kitchen	Acoustical Paneling	Acoustical Wall Paneling 75% walls	\$ 18.00	sf	5,891	\$ 106,033	
MPR / Kitchen	Ceiling Finish	Repaint / Repair ceiling	\$ 4.00	sf	11,900	\$ 47,600	
MPR / Kitchen	Door Hardware	New lever hardware	\$ 350.00	ea		\$ -	
MPR / Kitchen	Doors	Replace doors and frames (50%)	\$ 2,000.00	ea		\$ -	
MPR / Kitchen	Lighting	Replace lighting and controls	\$ 20.00	sf	11,900	\$ 238,000	
MPR / Kitchen	Wheelchair Lift	Refurbish / Replace / lift	\$ 25,000.00	ea	1	\$ 25,000	
MPR / Kitchen	Kitchen	General Kitchen Upgrade Allowance	\$ 50,000.00	ea	1	\$ 50,000	
Site	Ext. Door Thresholds	Replace conc. Landing at exterior doors	\$ 3,500.00	ea	77	\$ 268,450	
Site	Parking Lot	New overlay and striping	\$ 3.50	sf	105,545	\$ 369,408	
Site	Drop Off	Upgrade for ADA	\$ 25,000.00	ea		\$ -	
Site	Handcourts	New overlay and striping	\$ 3.50	sf	32,460	\$ 113,610	
Site	Drinking Fountains	Replace drinking fountain	\$ 5,000.00	ea	8	\$ 40,000	
Site	Path of Travel	New Ramp / Handrail / Some retaining	\$ 30,000.00	ea		\$ -	
Site	Fencing / Gates	Improve / Add Fencing and Gates	\$ 100.00	lf		\$ -	
Site Utilities	Boilers	Main Campus / MPR Boilers	\$ 100,000.00	ea		\$ -	
Site Utilities	Electrical	Main Service / Distribution	\$ 350,000.00	ea	1	\$ 350,000	
Site Utilities	Water	Main Water Line Replacement				\$ -	
Site Utilities	Sewer	Main Sewer Repairs				\$ -	
Site Utilities	Storm Drainage	Repair Flooding at Field				\$ -	
Bldg Exteriors	Paint	Paint campus exterior	\$ 2.75	sf	91,429	\$ 251,429	
Bldg Exteriors	Seismic	Fiber Wrap and New roof	\$ 50.00	sf		\$ -	
Program	New Classroom Bldg	Replace Portables	\$ 425,000.00	cr	3	\$ 1,275,000	
Program	Science Renovation		\$ 475.00	sf		\$ -	
Program	Renovate Gym		\$ 300.00	sf	15,000	\$ 4,500,000	
Program	New Gym					\$ -	
Program	New Locker Rooms		\$ 500.00	sf		\$ -	
Program	New Pool					\$ -	
Program	New Field					\$ -	
Program	New Field					\$ -	
Program	New Theater		\$ 800.00	sf		\$ -	
Program	New PAC		\$ 750.00	sf	24,000	\$ 18,000,000	
Program	Furniture		\$ 15,000.00	ea	59	\$ 885,000	
SUBTOTAL:						\$ 43,817,478	
General Conditions		12%GCC, 2.5%NB&I, 8%OP, 5%Const Con		28%		\$ 12,048,807	
Design Contingency:				15%		\$ 8,380,093	
SUBTOTAL: CONSTRUCTION COSTS						\$ 64,247,377	
Soft Costs:				30%		\$ 19,274,213	
Escalation:				18%		\$ 11,564,528	
TOTAL PROJECT COST:						\$ 95,086,119	

January 16, 2018: Despite the \$95 million in needs for MHS noted in the 2018 Needs Assessment, just a few days after the release of the Assessment, RGM, the District's construction managers for the Measure P Bond, contacted Associate Superintendent Brett McFadden and Superintendent Diffenbaugh, to discuss moving forward with a new lower athletic field. The Superintendent replied he was looking forward to connecting on the field project and Mr. McFadden also responded that he wanted to place this project up for discussion in the anticipated upcoming bond process. The Superintendent and the Associate Superintendent wanted to fast-track the work. They wanted to discuss "process initiation and summer [2018] work."

From: Brett McFadden <bmcfadden@mpusd.k12.ca.us>
Sent: Tuesday, 16 January 2018 at 03:38:15 PM PST
To: Ralph Caputo <Ralph@rgmassociates.com>
Cc: PK (Daniel) Diffenbaugh <pkdiffenbaugh@mpusd.k12.ca.us>; tnewton@mpusd.k12.ca.us <tnewton@mpusd.k12.ca.us>; Juan Moran <jcmoran@mpusd.k12.ca.us>; Tom Millman <tom@rgmassociates.com>
Sensitivity: Normal
Priority: Normal
Subject: Re: FW: Monterey & Seaside HS - Updated Schematics and Costs

Thank you Ralph - let's place on Thursday bond team meeting agenda to discuss process initiation and summer work.

Brett

February 2018: The Superintendent shared plans and ideas with MHS Principal Newton from Verde Design about the Stadium project. No record of when and how Verde was instructed to put together the concepts.

March 2018: Plans were already underway to add bleacher capacity to MHS stadium, according to RGM. On March 26, 2018, Verde planned to submit the complete plans to the state architect for review, as shown below.

From: Nicholas Tuttle <nick@verdedesigninc.com>
Sent: Monday, 26 March 2018 at 10:42:41 AM PDT
To: dbrown@mpusd.k12.ca.us <dbrown@mpusd.k12.ca.us>
Sensitivity: Normal
Priority: Normal
Subject: Monterey HS - Stadium Bleacher Capacity for DSA

Hello,

Tom from RGM directed me to contact you. We are setting up the Accessibility Plan for the Monterey High School Plans for our DSA Submittal that is to be sent out by the end of the day today. One item that we have not been able to coordinate is the maximum capacity number for the existing bleachers at the Track and Field Stadium. Is there any way that you could get us a approximate number of the maximum capacity of those bleachers today? We will need to use this to coordinate the size of our safe dispersal area. If you have any questions, please feel free to contact me at our office.

Nick Tuttle
Job Captain / Verde Design, Inc.
[Santa Clara](#)
408-850-3462 p.

March 7, 2018: MPUSD Board votes to place Bond Measure I on the June 2018 ballot. Below is the Board resolution:

RESOLUTION NO. 17/18-12

RESOLUTION OF THE BOARD OF TRUSTEES OF MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, the Board of Trustees (the "Board") of the Monterey Peninsula Unified School District (the "District") is committed to providing equal access to a quality education in local public schools by updating classroom technology, improving school safety, and making basic repairs to all schools to keep pace with 21st Century learning; and

WHEREAS, since the District wants our students prepared to succeed in a 21st Century competitive economy, children need updated full-service schools which are accessible, clean and safe learning environments; and

WHEREAS, the Board believes that to achieve that goal the District must maintain and repair classrooms, facilities and equipment, as needed, so that all facilities provide up-to-date science, technology, engineering, arts and math classrooms; and

WHEREAS, the State of California (the "State") does not provide the District with enough money for the District to adequately upgrade its educational facilities and academic programs; and

WHEREAS, the Board has concluded that the District's only remedy to avoid undermining its educational programs is to secure local funding that the State cannot take away; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its impact on protecting student safety, upgrading schools to improve technical education and workforce training, and making basic repairs to aging facilities; and

WHEREAS, since the District's newest school was built in 1965, over 60 years ago, and all of the schools need significant repairs, and in order to maintain an award-winning education, the District must invest in updating core operating infrastructure, technology and classrooms; and

However, as the District made plans for ALL facilities in the District it appears that the Superintendent was actively moving ahead with plans for the MHS Stadium, all prior to that project being identified to the Board or approved for any commitment of public funds. No other projects were getting this kind of special treatment at MHS.

April/May 2018: The pro-Measure I campaign was managed by Vanessa Diffenbaugh, the wife of Superintendent Diffenbaugh, as shown on the statement below. Major donors to the campaign included past and present contractors who had made money off of Measure P bond funds.

Statement of Organization Recipient Committee

Statement Type: Initial Amendment Termination - See Part 5
 or
 Not yet qualified
 Date qualified as committee

Date qualified as committee: 6/3/18/2018 Date of Termination: _____

RECEIVED AND FILED Date Stamp: JUN 13 2018
 in the office of the Secretary of State of the State of California

STATEMENT OF ORGANIZATION CALIFORNIA FORM 410
 For Official Use Only
RECEIVED
 Monterey County Registrar of Voters
 JUN 19 2018

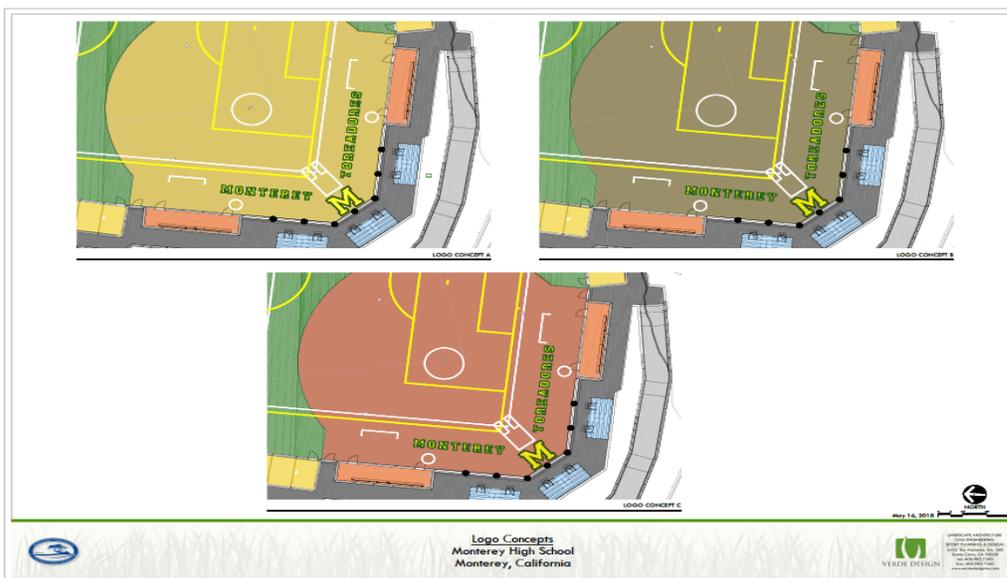
1. Committee Information	I.D. Number 1403658	2. Treasurer and Other Principal Officers
COMMITTEE/FILER'S NAME Committee to Support Quality Local Schools Yes on Measure I		NAME OF TREASURER Patricia Worth
CITY Salinas STATE CA ZIP CODE 93901 AREA CODE/PHONE		CITY Salinas STATE CA ZIP CODE 93901 AREA CODE/PHONE
MAILING ADDRESS (IF DIFFERENT) Monterey, CA 93940		NAME OF ASSISTANT TREASURER, IF ANY
FAX / E-MAIL ADDRESS @.net		STREET ADDRESS
COUNTY OF DOMICILE Monterey		CITY Monterey STATE CA ZIP CODE 93940
JURISDICTION WHERE COMMITTEE IS ACTIVE Monterey County		

3. Verification
 I have used all reasonable diligence in preparing and reviewing this statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on 6-11-18 By _____ TREASURER OR ASSISTANT TREASURER
 Executed on 6-11-18 By _____ DATE, STATE MEASURE PROPOSER OR RESPONSIBLE OFFICER OF SPONSOR
 Executed on _____ By _____ SIGNATURE OF CONTROLLING OFFICER/HOLDER, CANDIDATE, STATE MEASURE PROPOSER
 Executed on _____ By _____ SIGNATURE OF CONTROLLING OFFICER/HOLDER, CANDIDATE, STATE MEASURE PROPOSER

FPPC Form 410 (MAY 2017)
 FPPC Toll-Free Helpline: 866/ASK-FPPC (866/275-3772)

May 2018: Logo concepts for the MHS lower field were being discussed.



June 2018: voters approved Measure I for \$213 million to fix “the crumbling infrastructure of our district schools” as the pro-Measure I publicity claimed. None of the promotional flyers and brochures talked about stadium lights or visitor’s bleachers.

Between June 2018 and November 2018: MPUSD did a public survey to determine priorities. “Upgrade fields for all sports” was the *lowest* priority of the eight categories.

The seven categories that received **higher** priority ratings were as follows, in order of priority:

- Complete major infrastructure projects such as sewer, gas and water lines, electric upgrades
- Upgrade technology infrastructure and equipment to support student and staff technology
- Finish Heating, Ventilation, Air conditioning (HVAC) projects
- Replace/fix aging portable across the district
- Improve safety by replacing old play structures at elementary schools
- Improve safety by paving roads, parking lots, drop off zones and replacing blacktop play areas across the district
- Complete paint and flooring across sites in the district

August 2018: The School District entered into an agreement with Alpha Land Surveying to survey the proposed new lower athletic field.

**MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT
INDEPENDENT CONSULTANT SERVICES AGREEMENT
FOR
SURVEYING AND MAPPING SERVICES FOR
MONTEREY HIGH SCHOOL – LOWER ATHLETIC FIELDS**

This INDEPENDENT CONSULTANT SERVICES AGREEMENT ("Agreement") is made and entered into effective August 28, 2018 (the "Effective Date"), by and between the Monterey Peninsula Unified School District ("District") and **Alpha Land Surveys, Inc.** ("Consultant").

1. **Consultant Services.** Consultant agrees to provide the following services to District (collectively, the "Services"):

September 2018: A contract was signed with Moore Twining to conduct a Geotechnical Engineering Investigation for the MHS athletic facility, including visitor's bleachers at the stadium and an addition of a weight room.



September 10, 2018

MTP 18-0942

Monterey Peninsula Unified School District
c/o Mr. Tom Millman
RGM and Associates
540 Canyon Del Rey, Suite 2
Monterey, California 93940

Subject: Proposal for Geotechnical Engineering Investigation
Proposed Athletic Facility Improvements
Monterey High School
101 Hermann Drive
Monterey, California

Dear Mr. Millman:

10-Oct-18

A



VERDE DESIGN
www.VerdeDesignInc.com

Mr. Ralph Caputo
RGM and Associates
3230 Monument Way
Concord CA 94518



PROJECT: Monterey High School - Campus Athletic Schematic Design
Invoice Period: July 26th through September 25th, 2018
Project Manager: Derek McKee
Contact Information: 408-850-6410;derek@verdedesigninc.com
Consultant Bill #: - 1-1814400
Consultant Job #: 1814400-1843

Phase of Work	Total Fee	% Complete	Prev. Billed	Bill This Inv.	TTL Amt. Billed	Bal. Rem.
Schematic Design	\$ 40,000.00	78%		\$ 31,364.04	\$ 31,364.04	\$ 8,635.96

BREAKDOWN OF DIRECT AND PERSONNEL EXPENSES \$ 31,346.25

Principal	9.50	Hrs. @	\$ 215.00	=	\$ 2,042.50
Project Manager IV	34.00	Hrs. @	\$ 200.00	=	\$ 6,800.00
Project Manager III	39.75	Hrs. @	\$ 180.00	=	\$ 7,155.00
Project Manager I	2.75	Hrs. @	\$ 145.00	=	\$ 398.75
CAD Manager	17.00	Hrs. @	\$ 155.00	=	\$ 2,635.00
Project Designer	64.50	Hrs. @	\$ 135.00	=	\$ 8,707.50
Draftsperson II	27.75	Hrs. @	\$ 130.00	=	\$ 3,607.50

DIRECT EXPENSES \$ 17.79

Reproduction	\$ 12.26	x	1.00	=	\$ 12.26
Reproduction	\$ 3.32	x	1.00	=	\$ 3.32
Reproduction	\$ 2.21	x	1.00	=	\$ 2.21

CURRENT BILLING \$ 31,364.04

[Handwritten signature]
11/27/18

LANDSCAPE ARCHITECTURE • CIVIL ENGINEERING • SPORT PLANNING & DESIGN

2455 The Alameda
Santa Clara, CA 95050
p: 408.985.7200

1843 Iron Point Road, Suite 140
Folsom, CA 95630
p: 916.415.6554

3558 Round Barn Blvd., Suite 200
Santa Rosa, CA 95403
p: 707.800.4204

October 12, 2018: ten days before the first “Facilities Advisory Committee” (FAC) meeting, Verde Design submits a 30% Schematic Design Submittal for

the Monterey High Stadium. The “field construction budget” of **\$6.5 million dollars** was “based on a verbal understanding of meetings” between Superintendent Diffenbaugh and RGM. Estimated soft costs at 30% for design and other non-hard costs was \$1.8 million. This followed up on a meeting of the Superintendent and RGM on September 7, 2018.

Monterey High School	10/12/2018
Multi-Use Field	Job# 1814400
30% Schematic Design Submittal	Prepared By: LW
Preliminary Statement of Probable Construction Costs	Reviewed By: DM/JMH

Field Construction Budget(Based on verbal understanding of meetings)	\$6,500,000.00
Preliminary Estimate - Base Bid	\$5,995,367.00
Difference Between Budget and Base Bid:	\$504,633.00
Add. Alternative No.1 - Sports Lighting Conduit at Home Bleacher side	\$216,132.00
Difference Between Budget and Base Bid & Add. Alternative:	\$288,501.00

	Quantity	Unit	Unit Cost	Extension
1 Site Preparation & Demolition				
Clear and Grub	94,030	sf	\$1.00	\$94,030.00
Fencing Retrofit (Trim Existing Fence Post to 42" H and Remove Fabric)	350	lf	\$6.00	\$2,100.00
Fencing Removal	535	lf	\$3.00	\$1,605.00
Shot Put Concrete Removal	100	sf	\$1.00	\$100.00
Stairs Removal	160	sf	\$3.00	\$480.00
Fire Hydrant Removal /Relocate	1	ea	\$10,000.00	\$10,000.00
Utility Demolition	1	ls	\$7,500.00	\$7,500.00
Misc. Demolition	1	ls	\$7,500.00	\$7,500.00
Total Site Preparation & Demolition				\$123,315.00
2 Grading				
Rough Grading	94,030	sf	\$1.10	\$103,433.00
Waste Off Haul	1,741	cy	\$40.00	\$69,651.85
Total Grading				\$173,085.00
3 Drainage / Utilities				
Catch Basin	18	ea	\$1,500.00	\$27,000.00
Junction Box	11	ea	\$3,600.00	\$39,600.00
Clean Out	17	ea	\$400.00	\$6,800.00
10" Storm Drain Line	1534	lf	\$55.00	\$84,370.00
8" Perforated Pipe	1460	lf	\$60.00	\$87,600.00
Wall Drain	254	lf	\$50.00	\$12,700.00
Trench Drains	118	lf	\$100.00	\$11,800.00
Downspout Connection	3	ea	\$750.00	\$2,250.00
Point of Connection - on site	1	ls	\$3,000.00	\$3,000.00
Total Drainage / Utilities				\$275,120.00
4 Hardscape				
Asphalt Paving - Pedestrian	9,842	sf	\$6.00	\$59,052.00
Asphalt Paving - Vehicular	4,356	sf	\$7.00	\$30,492.00
Wheel Stops	10	ea	\$300.00	\$3,000.00
Concrete Paving - Pedestrian	3,484	sf	\$12.00	\$41,808.00
Concrete Steps	200	sf	\$40.00	\$8,000.00
Concrete Ramp	1,883	sf	\$40.00	\$75,320.00
Handrails at Steps	48	lf	\$100.00	\$4,800.00
Handrails at Ramps	380	lf	\$100.00	\$38,000.00
Retaining Wall	357	lf	\$250.00	\$89,250.00
Retaining Wall Footings	357	lf	\$250.00	\$89,250.00
6" Concrete Curb (6" Width or 12" Width)	874	lf	\$40.00	\$34,960.00
Tall Concrete Curb (> 6" Tall)	698	lf	\$100.00	\$69,800.00
Total Hardscape				\$543,732.00
5 Fencing and Gates				
12" Concrete Edgeband	704	lf	\$35.00	\$24,640.00
42" Chain Link Fence - Galvanized	732	lf	\$70.00	\$51,240.00
6' Chain Link Fence - Galvanized	31	lf	\$100.00	\$3,100.00
8' Chain Link Fence - Galvanized	534	lf	\$115.00	\$61,410.00
8' Chain Link Fence with 25' Tall Netting	211	lf	\$250.00	\$52,750.00



VERDE DESIGN

2455 The Alameda, Suite 200
Santa Clara, CA 95050
t 408.985.7200 f 408.985.7260
www.verdedesigninc.com

MEETING AGENDA

- MEETING DATE: October 12, 2018
- MEETING LOCATION: Monterey PUSD
- MEETING TIME: 8:30am
- PROJECT NAME: Monterey HS Multi-Use Field – Visitors Bleachers – Press Box – Sports Lighting
Seaside Stadium Improvements – Baseball – Softball – Multi-Use
- PROJECT NUMBER: 1814400 / 1814500
- FACILITATOR: Derek McKee
- RECORDER: Mike Hiddleson
- FILE NAME & PATH: L:\2017\1712700-Monterey HS Turf Replacement\Meeting Items\WA-Monterey HS-9-07-18.docx
- MEETING CONTEXT: Follow up from 9/7/18 Meeting with RGM and PK of MPUSD regarding Monterey and Seaside Athletic Field project.
- MEETING PURPOSE: Review 30% Schematic Set and costs of projects for approval.
- INTENDED RESULTS: Commence Construction Documents Phase to submit to DSA in November.
- I. Monterey Multi-Use Field, Weight Room, Visitors Bleachers, Press Box and Sports Lighting Discussion
 - A. Present 30% Plans and Discuss

The 30% Design of the MHS Stadium had already been completed months before the Board got its first presentation on it, and even before the “facilities advisory committee” even met for the first time to discuss MPUSD priorities for bond projects for MHS.

October 22, 2018: The first meeting of the “Facilities Advisory Committee.” This is a committee privately appointed by the Superintendent at his sole invitation. I requested CPRA information about this committee meeting. These Facilities Advisory Committee meetings are reportedly to consider projects costing millions of taxpayer dollars across the District, in Monterey, Seaside and Marina. No minutes are available from this committee meeting, despite public records requests. Nobody knows who attended or what was said, if the meeting happened at all. Only the Superintendent knows and he does not have any contemporaneous records. All we know is that there is a polished MPUSD PowerPoint dated October 22 describing the new MHS stadium and new lower field.

November 2, 2018: The Superintendent requests “the updated concepts” from Verde Design to help “solidify” support for MHS improvements at the stadium and on the lower field.

From: Ralph Caputo <Ralph@rgmassociates.com>
Sent: Friday, November 2, 2018 9:49 AM
To: Derek McKee <derek@verdedesigninc.com>; Mike Hiddleson <mikeh@verdedesigninc.com>
Cc: Jeanie McCune <Jeanie@rgmassociates.com>
Subject: Need updated picture of the SHS proposed turf and MHS lower and upper field concepts
Importance: High

Hi- PK is doing a presentation Monday and wed evenings to solidify the SHS and MHS improvements and is requesting the updated concepts so he can include in a PPT presentation.

Can you please send the rendering files for him.

Thanks,

Ralph Caputo

RGM and Associates
3230 Monument Way
Concord, CA 94518

This solidification of support apparently was needed for a Facilities Advisory Committee meeting on November 5, 2018, if there even had been a first FAC meeting before then.

November 5, 2018. The Superintendent presented the Verde Design plans for the MHS Stadium Sports Complex, possibly for a second time, to his personal invited friends on the “Facilities Advisory Committee.” Again, there are no minutes because it is not a board-appointed committee, according to MPUSD staff. MPUSD does not have records of what committee members attended, if anybody did, and what information they were and were not given about the MHS project and other MHS facilities needs. **The cost of the MHS project had ballooned to \$10 million for construction**, 154% of the \$6.5 million estimate the previous month, October 2018.



Long Term Community Benefit: Athletic Upgrades

Site	Project	Rational	Cost Estimate
Seaside High School	Create multi use turf field and competitive track, field house/team room.	SHS is the last high school in the region without a turf field and track. Number one community concern.	8,000,000
Monterey High School	Lower Multi purpose field, weight room/team room, visitor bleachers and stadium lights.	MHS only has one usable practice field; currently lacks of lights, visitor seating, weight room	10,000,000
		Total:	18,000,000

10

November 13, 2018: The MPUSD Board is presented with the same Verde Design stadium concept that the Superintendent purportedly had shown to his private “Facilities Advisory Committee” committee. According to the Superintendent, the “Facilities Advisory Committee” had recommended the Stadium project, but again, there are no committee meeting minutes, and no record of whom, if anyone attended the private committee meetings, what they heard, and what they considered, and whether the attending committee members, if any, fairly and equitably represented the MPUSD community and stakeholders. This was the only project “recommended” by the Superintendent to the committee for the Monterey High campus from the Measure I bond funds. The Superintendent told the Board that the “Facilities Advisory Committee” also had “recommended” expensive projects at the Seaside stadium and Marina football fields. Directors Lusk and Askew voiced concerns at this meeting over the amount of bond money being spent on athletics and stated that they wanted to hear from the community.

X.b. Receive Update from Facilities Advisory Committee Meeting of November 5, 2018 and Provide Direction Regarding Measure I Bond Projects Priority List

Recommended Motion:

Receive Update from Facilities Advisory Committee Meeting of November 5, 2018 and Provide Direction Regarding Measure I Bond Projects Priority List.

Rationale:

Background

Staff will report to the Board discussion and consensus from the Facilities Advisory Committee regarding the Project Priority List for the Measure I Bond funds.

GOAL THREE: PROVIDE HIGH QUALITY LEARNING ENVIRONMENTS FOR ALL STUDENTS AND STAFF.

Design or redesign facilities and their grounds to be high quality, energy-efficient, safe, and sustainable.

Prepared By

Ryan Altemeyer, Associate Superintendent
Business Services

Approved for Submission to the Board

PK Diffenbaugh, Ed.L.D., Superintendent

Financial Impact:

Not applicable.

Attachments:

 Measure I Bond Project Priority List

November 28, 2018: Outside Project manager RGM shares 30% submittal plans for field **directly** with MHS Principal Newton, the former football coach for Monterey High School. By then the project had expanded to include “a new weight-team room.” (Unknown whether the Superintendent had told the MPUSD board two weeks earlier that he already had 30% plans for a project that the Board had not approved as a priority). Where had Superintendent gotten the money to pay for the 30% plans submittal?

From: Ralph Caputo <Ralph@rgmassociates.com>
Date: November 28, 2018 at 2:35:02 PM PST
To: 'Thomas Newton II' <tnewton@mpusd.k12.ca.us>
Cc: 'Paul Anderson' <panderson@mpusd.k12.ca.us>, Tom Millman <tom@rgmassociates.com>, Ryan Altemeyer <raltemeyer@mpusd.k12.ca.us>
Subject: FW: updated picture of the SHS proposed turf and MHS lower and upper field concepts

Hi Thomas, I am attaching the concept dwg for the lower multi use field design which includes an new weight-team room. Attached are several layout concepts for your review. I am copying the District's new Director, Paul Anderson. Once you have had a chance to review, we would like to meet with you to discuss. If the board approves the field work incl new visitor bleachers and stadium lighting above, we would expedite designs after the first of the year (Jan-Feb).

M020240

Monterey 30% Submittal
<https://verdedesigninc.box.com/s/7rzwav4iinyngk0yhu2zhqab9ywage54u>
Thanks,

Ralph Caputo
RGM and Associates
3230 Monument Way
Concord, CA 94518

January 2019: MPUSD held some meetings with students who play sports, their parents and coaches at MHS. MPUSD did not invite or notify the affected Neighborhood Associations or neighbors about the proposed MHS project priorities or the possible effects of the MHS project. Public records of communications between Monterey City officials indicated that the projects were already “pretty advanced” and that the Superintendent “would like to break ground in April” 2019. Monterey’s city manager is the first to mention CEQA, the California Environmental Quality Act.

10/3/2019

City of Monterey Mail - Stadium Lights Monterey High



Hans Uslar <uslar@monterey.org>

Stadium Lights Monterey High

1 message

Hans Uslar <uslar@monterey.org>

Thu, Jan 3, 2019 at 8:52 AM

To: Kimberly COLE <cole@monterey.org>

Cc: Elizabeth Caraker <caraker@monterey.org>, Bonnie Gawf <gawf@monterey.org>

Kim,

Yesterday I met with PK to discuss his "phase II" improvements. They want to install permanent lighting around their football field AND they also want to restore the dilapidated softball field adjacent to the football field into an astro turf field with lights as well.

I understand that the project is pretty advanced. The DSA has all the plans and PK would like to break ground in April. He will come to our first Council meeting in February to introduce project.

CEQA: I promised him that someone would be assigned and getting back to him by next week Wednesday. So, please assign someone.

Outreach: Who would you recommend he should talk to ?

Thank you.

Hans Uslar
City Manager
City of Monterey
(831) 646 - 3884

February 12, 2019: The MPUSD Board approves a working list of Measure I priorities but **under the misguided perception that the Facilities Advisory Committee and MPUSD staff had made the best recommendations possible to allocate spending of the \$213 million Measure I bond funds, while carefully considering all other facilities needs**, such as the \$95 million of unmet needs identified in January 2018 for MHS. We know now that had not happened. There is no evidence that the MPUSD staff and "Facilities Advisory Committee" considered all facilities needs at Monterey High School, or at other schools.

[Item IX.a MPUSD Board Meeting 2.12.19](#)

February 22, 2019: MPUSD approves a contract for Verde Design for the MHS Stadium project at a Measure I bond cost not to exceed **\$502,918**.

IX.d. Discuss and Approve Agreement with Verde Design, Inc. for Landscape Design Services for Synthetic Track and Turf Field Improvements, which Include Design and Construction Administration for the Athletic Field Improvements at Monterey High School. Measure I Bond Cost Not to Exceed \$502,918

April 2019: MPUSD retains EMC for **\$40,000** to prepare an initial study and mitigated negative declaration for the stadium project. EMC agrees to prepare a Mitigated Negative Declaration before evaluating the project for impacts in order to determine whether the project would be eligible for a MND or whether an EIR is necessary. EMC is owned by Michael Groves, a longtime employee of MPUSD. (Baseball coach for 20+ years.) No MPUSD consideration of the conflict of interest is mentioned in any public records.

July 25, 2019: MPUSD releases initial study and proposed MND for stadium project. I received from MPUSD an email with a link to the Mitigated Negative Declaration for the MHS Stadium project. I received this only because I personally had asked for information about the project. **No other neighbors** received any notification by mail or otherwise and the only publication was a small legal notice in tiny print in the Monterey Herald for a single day. The comment period for the MND was only for 30 days. We had to share the information about the MND among the neighborhood.

August 2019: Neighbors and experts submit hundreds of pages of comments on the proposed MND. Many neighbors ended up submitting over 60 comments on the MND and over 300 pages. We later found out from public records that the EMC contract assumed there would be no more than 5 total comment letters on the MND.

September 2019: MPUSD decides not to pursue the proposed mitigated negative declaration for the stadium project due to comments from the public. MPUSD decides to prepare an EIR. MPUSD also decides to look into parking issues at MHS because the new lower field would eliminate more than 100 parking spaces.

November 2019: MPUSD retains Ascent Environmental as EIR preparer. Ascent has offices in Sacramento and Oakland. The scope of work includes a parking analysis at the site. The contract cost is **\$250,000**.

January 31, 2020: MPUSD signs a contract with C2G engineers for **\$189,000** for the parking improvement project. This is on top of a preliminary study for **\$32,500**. This study proposed to add parking spaces in front of the MPUSD Administrative Office, 700 Pacific Street, by removing the lawn that frames the building, and the basketball courts. According to available plans the difference between existing and proposed parking spots campus-wide is **only an additional 27 parking places total**. The estimated cost for this Parking Improvement Project is **\$5.5 million**.

**MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT
INDEPENDENT CONSULTANT SERVICES AGREEMENT
FOR THE
MONTEREY HIGH SCHOOL
PARKING IMPROVEMENTS, DESIGN DEVELOPMENT PROJECT #8216**

*ITEM
(A)*

This INDEPENDENT CONSULTANT SERVICES AGREEMENT ("Agreement") is made and entered into effective January 31, 2020 (the "Effective Date"), by and between the MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT ("District") and C2G / Civil Consultants Group, Inc. ("Consultant").

Spring 2020: MPUSD submits completed parking drawings to the state architect who has to approve all school construction for ADA and safety issues. MPUSD insists that parking project is a separate project from the stadium. MPUSD has not prepared a CEQA analysis for the parking improvement plan or consider the City of Monterey's General Plan and city code.

At some point, without any direction from the Board, Superintendent Diffenbaugh directs that all parking analyses be removed from the scope of Ascent's contract on the Draft EIR, despite the concerns for parking needs for the expansion of the stadium. This new direction is provided orally to Ascent. No written change is made to the MPUSD-Ascent contract despite the Board's contract term that requires all amendments to be in writing.

August 2020: Ascent Environmental puts on public webinar which negatively stereotyped public commenters as "flying monkeys" from the Wizard of Oz, and urged webinar participants to ignore public comments in order not to unnecessary impede the EIR. After a member of the public

reports it, Napa County Board of Supervisors decides to part ways with Ascent as a consultant for a project in that county.



Effective CEQA Streamlining: Do We Need Help from the Wizard of Oz?

Cities and counties often feel like Dorothy traveling through the Land of Oz seeking help from the Wizard to discover the secrets of getting home quickly using the power of CEQA for such critical projects as affordable housing and infill development. Our panel of local agency representatives and CEQA experts will guide attendees through Oz and help us to realize that the power to streamline CEQA was within us all along: thoughtful preparation of effective CEQA documents and use of existing streamlining provisions that have been in CEQA and the Guidelines for over 20 years; heart to believe that CEQA streamlining is legally adequate when done well; and courage to fend off the flying monkeys and the Wicked Witch of NIMBYism.

September 17, 2020: MPUSD requests a hardship waiver from DSA by claiming that that “the District office is located within the historic area.” MPUSD staff wants to defer ADA upgrades normally required for a project this large: a single ADA restroom and drinking fountain. All so MPUSD could move ahead with the **\$5.5 million** Parking Project and ignore ADA requirements and instead **make people in wheelchairs leave the District office, go outside and across a parking lot to get to a restroom, in all weather and at night.** MPUSD claims that to add an ADA restroom and drinking fountain MPUSD needs “funding and District approvals” which

apparently the staff has not sought from the board. There is no “technical infeasibility” as MPUSD staff claims. The Board may not have been aware of this staff action to delay and defer important ADA accommodation.



1-RTI

ACCESS COMPLIANCE - REQUEST FOR FINDING OF TECHNICAL INFEASIBILITY

Please print or type all information – or you may fill out on-line and print for signatures
ALL FIELDS MUST BE FILLED IN

Use this form to request a finding of technical infeasibility when alterations required for access compliance to a building or facility are infeasible due to existing physical or site constraints.

School District/Owner/Agency: Monterey Peninsula Unified School District		DSA File #: 27-H3 -
Project Name/School: Monterey High School		DSA App. #01-118835
APPLICANT		
Firm Name: C2G/Civil Consultants Group, Inc		Contact Name: Todd Creamer
Phone Number: (831) 438-4420		Email: Todd@C2Gengrs.com
Address: 4444 Scotts Valley Drive, Suite 6		
City: Scotts Valley		Zip: 95066 County: Santa Cruz
DESIGN PROFESSIONAL IN GENERAL RESPONSIBLE CHARGE		
Name of Design Professional in General Responsible Charge: Todd R. Creamer		
Professional License #: C 64561		Discipline: Civil
Facilities Director (or appropriate contact): Paul Anderson		
Phone Number: (831) 392-3989		Email: Panderson@mpusd.k12.ca.us
Project Location		
Project Location: Monterey District Office		
Project Address: 700 Pacific Street		
City: Monterey		Zip: 93940 County: Monterey

DSA 1-RTI

REQUEST FOR FINDING OF TECHNICAL INFEASIBILITY

CBC, CHAPTER 11B

11B-103 Equivalent facilitation. Nothing in these requirements prevent the use of designs, products, or technologies as alternatives to those prescribed, provided they result in substantially equivalent or greater accessibility and usability.

11B-202.3 Alterations.

Exception 2: Technically infeasible. In alterations, where the enforcing authority determines, compliance with applicable requirements is technically infeasible, the alteration shall provide equivalent facilitation or comply with the requirements to the maximum extent feasible. The details of the finding that full compliance with the requirements is technically infeasible shall be recorded and entered into the files of the enforcing agency.

**CBC, CHAPTER 2
DEFINITIONS**

EQUIVALENT FACILITATION. The use of designs, products, or technologies as alternatives to those prescribed, resulting in substantially equivalent or greater accessibility and usability.

Note: In determining equivalent facilitation, consideration shall be given to means that provide for the maximum independence of persons with disabilities while presenting the least risk of harm, injury or other hazard to such persons or others.

TECHNICALLY INFEASIBLE. An alteration of a building or a facility, that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

DESCRIBE THE NATURE OF THE CONDITIONS THAT PROHIBIT FULL AND STRICT COMPLIANCE WITH THE MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION: Attach additional pages if necessary.

The District Office is located within the Historic area of Downtown Monterey, two blocks from the State of CA first State Capital building. To comply with IR-A22, Item 20, restroom upgrades would require significant interior structural analysis of a building that has very little existing records of construction.

DESCRIBE THE USE OF DESIGNS, PRODUCTS, OR TECHNOLOGIES AS ALTERNATIVES TO THOSE PRESCRIBED, RESULTING IN SUBSTANTIALLY EQUIVALENT OR GREATER ACCESSIBILITY AND USABILITY: Attach additional pages if necessary.

The District is willing to upgrade and create a unisex bathroom with compliant drinking fountain, but this will require time, funding and District approvals. This will occur as a separate project at a later date for DSA for review and approvals.

November 12, 2020: Draft EIR released for the stadium. A report by a historic consultant, Pam Daly, admits that the stadium is eligible for the state and national historic registers. MPUSD had long been reticent to acknowledge, much less embrace, the historic nature of the stadium.

December 2020: Superintendent Diffenbaugh sends emails from his **personal Gmail account** urging MPUSD staff, MPUSD parents, MPUSD teachers and others to write letters in support of the MHS stadium/lighting project to the MPUSD Board, and giving them talking points. Diffenbaugh **bcc's numerous MPUSD staff, teachers and administrators at their official @mpusd email addresses.**

MHS principal Newton sends **emails from his MPUSD email** account to "All Monterey High Staff" reminding them that the stadium project "is very near and dear to my heart." Principal Newton's email to "all staff" – who all report to him -- told the staff that "by no means is it mandatory, but even a small email of support in favor of the project would go a long way." Principal Newton ended his email with "Thank you in advance."

----- Forwarded message -----
From: **Thomas Newton II** <tnewton@mpusd.k12.ca.us>
Date: Wed, Dec 16, 2020 at 8:43 AM
Subject: Special Board Meeting
To: All Monterey High Staff <all-monterey-high-staff@mpusd.k12.ca.us>

Good Morning Does,

Tomorrow evening is the special board meeting where the EIR (Environmental Impact Report) is going to be presented and public comment allowed. It would be safe to assume this project is very near and dear to my heart as I believe any facility on campus that is new or updated is great for all kids. If we want to be a world-class school, we have to provide world-class facilities.

By no means is it mandatory, but even a small email of support in favor of the project would go a long way. If you feel so inclined, please send an email to Denise Munoz, and it will be read during public comment tomorrow.

Thank you in advance for your time and consideration! Go Does!

--
Life to the Fullest
Thomas Newton
Head of School
Monterey High School
IB World School MYP/DP

GO DOES!

Late 2020: Costs for the stadium project are at or exceed \$2 million to date. Currently MPUSD intends to spend upwards of \$15 million dollars for constructing the MHS Stadium Sports Complex and over \$5 million on parking to accommodate the Stadium expansion project. The projected costs now significantly exceed an estimated \$20 million dollars of taxpayer Measure I funds. No other projects are proposed to be constructed with Measure I funds at MHS – not a single project from the \$95 million Facilities Needs list.

February 23, 2021: MPUSD Board agenda shows the January Warrant report includes a check paid on January 28, 2021 to MPUSD's attorneys for **\$250,000** for legal services. Currently MPUSD's attorneys are working hand in glove with Ascent Environmental to produce the Final EIR for the District. [MPUSD Agenda 2/23/21 Item VIII.f Warrant Register for January 2021](#)

General Plan and City Code: Normally there would be independent and neutral oversight of a CEQA project such as the City Council or the Planning Commission. That is not the case here. MPUSD is acting as lead agency *on its own project*.

The Draft EIR for the MHS stadium project evaluates the project against the City General Plan policies and City Code requirements. MPUSD has not claimed to be exempt or that it does not have to comply with the City General Plan and City Code.

As stated in Government Code Section 53091.(a): "Each local agency shall comply with all applicable building ordinances and zoning ordinances of the County or city in which the territory of the local agency is situated." And on the chance that the school board tries to claim otherwise, the school district may not try to evade compliance with the city codes when the proposed use of the property by the school district is for non-classroom facilities, including, but not limited to, warehouses, administrative buildings, and automotive storage and repair buildings, as is stated in Government Code Section 53094. That means that the MPUSD parking lots and administrative buildings and more all have to comply with city codes.

I am writing this letter to you, as MPUSD Board Members, so you will have background on this stadium project and a clearer understanding of the unusual level of personal involvement of Superintendent Diffenbaugh in moving this project forward, ahead of the \$95 million in identified unmet needs. I am unsure if the MPUSD Board was aware that the “Facilities Advisory Committee” had been steered towards the MHS Stadium Lights/Bleachers project directly by the Superintendent.

So how did the MHS stadium project jump to the head of the line, far ahead of the many capital needs for Monterey High School identified in the 2018 Facilities Needs Assessment? Just ask the Superintendent.

We want to be part of a civil dialogue and would appreciate an open line of communication with MPUSD so we can work together positively towards the goal of best educating and accommodating our students and teachers safely in the future. Neighbors and taxpayers from throughout the District believe that our concerns over the process and costs of the MHS Stadium project have been dismissed by MPUSD. The hostility we have observed and felt from audience members at MPUSD Board meetings when some of us have expressed our concerns is very troubling.

We are asking that you, as MPUSD Board members, work with the City of Monterey, the Neighborhood Associations and all the neighbors to engage with our community. Let’s work together to do what you, as a District, intended: bring all our schools into the 21st century. We hope that you will consider ALL Facilities Needs, equitable for ALL students, especially as we move to re-open our schools. Things have changed a lot in the last year due to the pandemic. Please use our taxpayer bond funds as MPUSD advertised, “to fix our crumbling schools.” There are so many critical needs and limited taxpayer funds. We urge you to consider all facilities needs at Monterey High and other schools and make the choice a public process.

Thank you for your time and consideration.

Sincerely,
Marta Kraftzeck, on behalf of many