

January 2, 2018

Placeworks

Barbara Wu Heyman

Associate Principal

c/o Angela Jones

Hermosa Beach City School District

1645 Valley Drive

Hermosa Beach, CA 90254

Re: North School Project

Misinformation, Reprographic Errors, Evidence of Collusion, Unethical and Illegal behavior by HBCSD and their Hired Consultants from May 2016 to January 2, 2018

1. Unethical Behavior - Draft EIR public comment scheduling:

Contrary to the intention of the Draft EIR public comment period, to allow the public ample time to study, review and respond to the draft EIR, HBCSD scheduled the public review period for this 1, 611+ page draft EIR to start the week before the busy Thanksgiving, Christmas and New Year holidays. Several letters were sent to HBCSD School Board members and to Angela Jones from community members requesting an extension of the review period due to the busy holiday season for parents and residents, but the request were summarily declined. This is evidence of bad faith and of intentional unethical behavior by HBCSD administration.

In addition, HBCSD administrative offices and the City of Hermosa Beach administrative offices were closed for a significant portion of the draft EIR review period. Community members were unable to have questions answered about the information provided, etc. in the draft EIR by either HBCSD administration or the City of Hermosa Beach during the times that their administrative offices were closed for the holidays.

1. Why did HBCSD schedule release the draft EIR to the public during the busy holiday season when HBCSD and HB City administrative offices would be closed?
2. Why wouldn't HBCSD allow community members additional time to read and respond to the draft-EIR when evidence shows that the original predictions of increased enrollment has changed significantly to 200 LESS students enrolled at HBCSD by the time North School is rebuilt. In other words, HBCSD does not need to be in a hurry to demolish and rebuild North School for 510 additional students. HBCSD could continue with remodeling and building plans at View School or Valley School while the draft-EIR for the rebuilding of North School is being studied by the public.

2. Missing and incomplete Information - Appendix B: NOP and Public Scoping Meeting Comments:

Twelve pages that we know of, of public comment, were left out, or incorrectly and incompletely published in Appendix B of the draft EIR that was provided by HBCSD to the public. The missing pages were from letters sent to HBCSD and Barbara Heyman of Placeworks in March 2013 for the NOP Public Scoping. Placeworks claims that this was due to reprographic errors. The missing information was NOT caught by Placeworks nor by HBCSD personnel and their attorneys. It was brought to their attention only after a member of the public noticed missing pages to letters about three weeks after the public release of the draft EIR.

Members of the public were not notified of the twelve pages of missing information, nor were draft EIR document copies provided to the public at the Hermosa Beach Library and the Hermosa Beach City Hall and other locations updated with the twelve missing pages of public comment after the lapse was found.

1. Were the twelve missing pages from Appendix B the result of a severe breakdown of the reprographic capabilities of Placeworks or because HBCSD administration failed to send a complete set of the letters received for the NOP to Placeworks?
2. Along those same lines, it is obvious that the information provided in Appendix H, Three-Year AHERA Re-inspection was incompletely reproduced and is basically illegible. Was this done intentionally? Was the illegibly reproduced report from Appendix H the result of a severe breakdown of the reprographic capabilities of Placeworks or because HBCSD administration failed to send a legible copy of the district's asbestos report to Placeworks?
3. Considering the twelve pages of missing and incorrectly produced NOP comment letters AND the illegible asbestos report in Appendix H, how can the public be sure that significant amounts of information are not missing from other parts of the draft EIR?

3. Fabrications and Ongoing Misinformation and evidence of collusion - Appendix E: Historical Resources Assessment Report:

Both of Pam Daly's Historical Resource Assessment reports of the North School Campus in May 2016 and her final report in July 2017, provided with the draft – EIR, contained factual errors and out-right fabrications.

Pam Daly & Associates was hired by Placeworks and HBCSD using taxpayer money. Even after five significant errors in Pam Daly's first Historical Resource Assessment Report of North School were reported to HBCSD and Placeworks in March 2017 in a letter submitted for the NOP, Pam Daly was not fired by Placeworks. Instead she was retained to continue writing misinformation for the draft EIR in her FINAL Historical Resource Assessment Report, Appendix E.

On page E-26 and E-27, Pam Daly writes:

"[Samuel] Lunden and [Paul] Jefferes did require that the four chimneys of the classroom fireplaces/stoves be removed, and that the main entrance to the building, a character-defining feature of school architecture, be walled off to provide greater structural stability to the front elevation. Except for the sealing-off of the front entrance vestibule ..."

... "This resulted in the cross-gable roof, in the center of the south roof plane, becoming a "ghost" architectural feature for the center entrance that no longer exists."

However, Samuel Lunden's architectural blueprints for the reconstruction of North School after the 1933 Long Beach Earthquake, sheet 2 of 5, clearly shows that Lunden did NOT wall-off the entrance to the building as Pam Daly claims. Ms. Daly conveniently fails to include Sheet 2 of Lunden's blueprints in her report that show his plans for the front entrance.

On page E-30 and E-31, Pam Daly incorrectly and inexcusably describes the Main building at North School that Samuel Lunden reconstructed after the Long Beach Earthquake destroyed the original school building:

"The same style of window sash is found along the rear (north) elevation, in groupings of four, three sash-tall units, with two, two-sash tall units in one combined unit at the east end of the building;... and a six-wide, three-sash tall unit at the west end of the façade."

In her description of the north elevation of the main building, Daly is using the picture on page E-31 for reference. She has no first-hand knowledge of the actual building she is describing in her report. In the photo on page E-31, the bottom portion of the east end of the building is covered by a large piece of plywood – left in front of the windows by someone. Ms. Daly incorrectly and inexcusably describes the windows that are behind the large piece of plywood as being a group of "four, three sash tall units with two, two-sash tall units in one combined unit", when in actuality the windows at both the east and west ends mirror each other and are six-wide, three-sash tall units.

As a professional paid with tax payer money to write an important Historical Resource Assessment for an important and highly impactful draft-EIR, Ms. Daly's fabrications, omission and errors are inexcusable.

1. After Ms. Daly's first Historical Assessment report was shown to have five significant factual errors, why wasn't Ms. Daly replaced with a more competent individual to write the Historical Assessment for the draft EIR?

According to time billing information provide by HBCSD for HBCSD hired (with taxpayer money!) attorney, Mr. Terry Tao, Invoices #501334 and #503178, from 6/29 through 7/7/2016; Mr. Tao spent 3.75 hours colluding with HBCSD and Pam Daly on the Historical Assessment. Conveniently omitted from the public records request are Mr. Tao's billings for 2015 and the

first quarter 2016 when HBCSD and Placeworks first retained Pam Daly to write the Historical Assessment of North School that contained five significant and inexcusable errors and which was released just one month before the \$59M Measure S bond election.

2. Why was Mr. Tao colluding with Ms. Daly on her Historical Assessment?

4. Misinformation provided by HBCSD Superintendent Pat Escalante and School Board president Mary Campbell at the May 25, 2016 Measure S Informational Meeting:

http://hermosabeach.granicus.com/MediaPlayer.php?view_id=6&clip_id=4167

1. At the 01:04:37 mark Superintendent Pat Escalante states that there is no ADA access at North School. Attached are photos of the ADA accessibility of North School. Why did Superintendent Escalante lie about the ADA accessibility of North School in the public information meeting?
2. At the 01:05:32 mark Superintendent Escalante states that there is no cafeteria at North School. Attached are photos showing the kitchen with serving bay at North School. Why did Superintendent Escalante lie about the existing kitchen/cafeteria at North School in the public informational meeting?
3. At the 01:05:32 mark Superintendent Escalante states that HBCSD spends \$15,000/year to maintain North School. Attached is an excel spreadsheet of monthly purchase orders over \$500 that show that this statement by Superintendent Escalante is untrue. Why did Superintendent lie about the amount of funds that HBCSD spends per year to maintain North School?
4. At the 01:05:47 mark both Superintendent Escalante and School Board president Mary Campbell claim that the District is not legally allowed to house public school students at North School. North School is grandfathered-in as a public school. It has always been owned by HBCSD and has only operated as a school. Attached are the facts that North School can be used as is to house public school students. Why did both Superintendent Escalante and School Board President Mary Campbell mislead the public about the legal use of North School as is for public school students?

4. Misinformation provided by HBCSD hired Attorney, Mr. Terry Tao the May 31, 2016 Measure S/Pier Avenue School Joint City and School District Informational Meeting:

http://hermosabeach.granicus.com/MediaPlayer.php?view_id=6&clip_id=4169

Please see the attached transcripts of the meeting and egregious misinformation provided by the HBCSD attorney, Mr. Terry Tao, the same attorney working for the HBCSD and using public money for the draft EIR.

1. At the 02:00:51 mark HBCSD hired (with public money) attorney, Mr. Terry Tao, states that the Newport Elementary school cost \$55M to renovate. Attached are documents that show that the Newport Elementary school only cost approximately \$4.1M to renovate. What information was Mr. Tao using to justify his statement in the public informational meeting that Newport Elementary School cost \$55M to renovate?
2. At the 02:00:51 mark HBCSD hired attorney, Mr. Terry Tao, states that Richmond Street Elementary School cost \$39M to renovate. Attached are documents from the Superintendent of El Segundo Unified School District that claims that Richmond Street Elementary School only cost \$5.3M to renovate. Why did Mr. Tao claim that Richmond Street Elementary School cost \$39M to renovate in the public informational meeting one week before the Measure S bond vote? What information was Mr. Tao using that would collaborate his statement regarding a \$39M cost to renovate Richmond Street Elementary School?
3. At the 02:02:45 mark HBCSD hired attorney, Mr. Terry Tao, states that his presentation did not take a lot of work to put together. However billing information from Invoice #499132 for May 31, 2016 shows that Mr. Tao spent 42.75 hours and charged HBCSD \$10,901.25 for the approximately one hour presentation. The invoice detail shows that Mr. Tao colluded with HBCSD administration in six hours of meetings in May 2016 prior to his presentation to City Council members and the public. Does Mr. Tao suggest that telling community and City Council members that he did not put a lot of work into his presentation and then charging the district for 42.75 hours for putting together his presentation is not an intentional lie told in a public informational meeting?
4. At the 02:07:37 mark HBCSD hired attorney, Mr. Terry Tao, states that the Quimby Act is a law that states that if "somebody" sells property and a parks, recreation, city, county was going to use the property for park land or recreation purposes then the property must be sold for a fraction of what the fair market value price is. The correct Act that Mr. Tao is referring to is the Naylor Act not the Quimby Act. Does Mr. Tao not know the difference between the Quimby Act and the Naylor Act?
5. At the 02:08:00 mark HBCSD hired attorney, Mr. Terry Tao, states that he hasn't looked at the statute (Quimby Act) for a while. Yet Mr. Tao billed HBCSD for .5 hours on May 30, 2016 for "Legal Research re Quimby Act and Application to Pier Avenue School" on his invoice #499132. Does Mr. Tao believe that spending .5 hours one day before his presentation to the community and the HB City Council does not constitute recent knowledge of the Quimby Act?
6. At the 02:08:15 mark, Mr. Terry Tao states that the first offer that was made by the City of Hermosa Beach to HBCSD for the Pier Avenue School property was made under the Quimby Act. This is an incorrect statement. The Naylor Act is CA Education Code 17485-17500 and governs the price offered for school district surplus property. However the Naylor Act was not enacted until April 1982. Pier Avenue School was sold to the City of Hermosa Beach in February 1987. Therefore the Naylor Act did not apply to the sale of Pier Avenue School either. Why didn't Mr. Tao know his facts before making a

presentation to Hermosa Beach community members and the HB City Council and charging HBCSD \$11K for his efforts?

7. At the 02:23:08 mark, Mr. Tao states that Pier Avenue School would need to be upgraded to meet Field Act earthquake safe specifications. The Field Act was passed in April 1933. Pier Avenue School AND North School were both reconstructed AFTER Field Act building specifications were made law for public school construction. Terry Tao was aware of and had access to the 1934 and 1935 Department of State Architecture documents for North School and Pier Avenue School that showed the dates of construction. Why did Mr. Terry Tao purposely deceive the Hermosa Beach community and HB City Council members in his presentation one week before the \$59M Measure S facilities bond election as to Pier Avenue School's and North School's having been built to stringent Field Act standards? Did School Board members and Superintendent Pat Escalante know the correct information about their own facilities plans when calling for a \$59M bond and not speak up to correct Mr. Tao during his presentation? Did School Board members and Superintendent Pat Escalante knowingly collude with the HBCSD attorney to deceive Hermosa Beach voters one week before the Measure S bond election?



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