

Hermosa Beach City School District get OK for gym

Court says construction of the facility, along with classrooms, is legal. The project is scheduled to be finished in spring.

By Shelly Leachman
DAILY BREEZE

Years of legal wrangling over an ongoing construction project at Hermosa Valley School have been put to pasture.

The state Supreme Court on Wednesday denied a petition by the Committee for Responsible School Expansion, closing its case against the Hermosa Beach City School District over the building of a gymnasium. The group appealed to the state's highest court in October after its claims were previously denied at both Superior Court and appellate levels.

"I don't know what else to say except hallelujah," said Cathy McCurdy, a 15-year veteran of the school board who was appointed president this week. "It's frustrating, in one sense, that we had to go through this, but it's very satisfying that we've prevailed."

McCurdy said the district has spent nearly \$140,000 from its general fund on legal fees.

The imbroglio began in March 2005, when the district approved plans for the project, envisioned as a 26,000-square-foot structure on the school's southwest corner that would house a library, two science labs, two new classrooms and a gymnasium with offices and changing rooms.

With a total cost estimated at around \$7.5 million, it would be funded by money from Measure J, a \$13.6 million bond that voters approved in 2002.

By April 2005, the citizens committee had formed and filed suit against the district, alleging that because a gymnasium was not specifically cited in the Measure J ballot measure, actually building a gym would be illegal.

Its request for an injunction prohibiting the district from proceeding was denied.

The court simultaneously found that the school system was in compliance with the state constitution, which, it ruled, does not require a specific list of projects to appear on the ballot. The committee later appealed that ruling and lost, prompting it to file the petition for a rehearing with the state Supreme Court that was denied this week.

The Supreme Court's petition denial, announced at the school board meeting Wednesday, inspired cheers and claps from the sparse audience.

The news inspired only silence from local architect Jerry Compton, who owns a home near the school and has been a committee spokesperson. Reached at his office Thursday afternoon, he seemed stunned.

Asked about the ruling, he said: "This is the first I've heard of it." He declined to comment further, deferring to attorney Joseph DiMonda, who represented the committee.

"The school board was always trying to paint this as a bunch of disgruntled neighbors who didn't

want a gymnasium near them, which was certainly one of the issues in the beginning," DiMonda said. "But there were many other issues, tax issues, that went way over their heads.

"The issues were bigger than Hermosa," he said. "Where it stands now, nobody knows what a school board has to disclose and voters now, with all sorts of bonds, are casting their fate to the wind."

The school system failed in June to pass another bond measure, the \$13.1 million Measure A, to finish the complex and launch other improvements at all its campuses. Subsequently killing plans for two new classrooms in the gym building, McCurdy said Thursday that the district "will still pursue trying to get that done."

The scaled-back gym project is scheduled for completion by late May or early June, she said.

the gymnasium was not finished until November 2007.