

Hermosa Beach Community Center's history key to bond vote



Exterior of the Hermosa Beach Community Center, site of the former Pier Avenue Junior High. Photo by Ryan McDonald

BY RYAN MCDONALD JUNE 1, 2016

The Hermosa Beach City School District cannot automatically reopen the city's Community Center as a school, and attempting to do so would likely require extensive examinations and retrofitting, according to a report provided at a joint meeting of the school board and city council Tuesday night.

The meeting came as Hermosa approaches next Tuesday's election, when voters will decide on Measure S, a \$59 million school facilities bond to ease overcrowding in the district. Though the bond would allocate funds to View and Valley, the district's existing campuses, the lion's share would go to rebuilding North School, a school site on 25th Street owned by the district but currently being used as a preschool.

Throughout the runup to the vote on Measure S, opponents have consistently advocated for the Community Center as a more logical and less costly alternative, and have levelled criticism at district officials for what opponents said is an inadequate effort to explore the Community Center as an option in meeting the district's facilities needs. District officials have countered that the Community Center remains an inferior option for both legal and practical reasons.

At the request of the district Terry Tao, an attorney, architect and seismology expert who regularly represents school districts in land use questions, gave a presentation that bolstered the district's case. Opponents of Measure S question the objectivity of Tao's report, given that his firm was hired by the district, and has been used by HBCSD since at least 2013.

The Community Center is the site of the former Pier Avenue Junior High School. It was one of six campuses once open in the city; enrollment peaked in the 1960s with more than 2000 students. But as demographic trends shifted, enrollment dropped, and the district began closing and selling off school sites.

The district closed Pier Avenue School in 1975. On June 13, 1977, the school board passed a resolution formalizing its intent to sell the parcel to the city. Carol Reznichuk, a school board member at the time Pier Avenue was sold to the city, said at Tuesday night's meeting that the sale was a "very wise" move at the time. The district's enrollment was declining even as the city was experiencing a development boom and running short on recreation space.

“It’s a fabulous property right here in the middle of town,” Reznichuk said. “Where else was the city going to get something like that?”

The sale was finalized in 1978, with the district selling for less than fair market value at the time. In exchange, the district retained some additional rights to the property. Exactly what rights the district retained has been at the center of controversy over Measure S.

A lease agreement accompanying the sale gave the district “limited usage” of “certain portions” of the former Pier Avenue School; under the agreement, lease of the entire school, including classroom facilities, was a possibility, but not something the city was obligated to agree to.

But the June 13, 1977 district resolution stated that the terms and conditions of the sale were “more particularly set forth in a Memorandum of Understanding” or MOU. In 2013, Katarina Bacallao, then a member of the district’s Facilities Planning Advisory Committee, uncovered the MOU in a county records storehouse. Among other things, the MOU stated that if enrollment exceeded 1266 students, the district would get the right to lease the facility, including the classrooms. Current enrollment is 1432.

Contract law frequently features disputes over whether prior discussions or documents are “incorporated” into the final, binding agreement. At Tuesday night’s presentation, Tao said the MOU was not incorporated and has no legal effect, and that the district is not guaranteed the opportunity to use the former classrooms at the community center. Tao noted that the MOU was never signed by the parties, and likely represented what the district was “hoping for” or even “fantasizing about.”

“Just because it is in writing and it’s what the district was hoping for doesn’t mean it’s what the city agreed to,” he said.

In an interview last week, City Manager Tom Bakaly said that the council has been clear that there is not an interest in turning over the property.

In addition to legal difficulties in acquiring it, if the Community Center were to be repurposed as a school, it would require a “very significant” evaluation, and would “more than likely” need to be upgraded, Tao said. Among the features that Tao identified were supporting beams, like those found in portion of the structure now used as the Hermosa Museum. He also pointed to the large windows found in former classrooms; upgrades to similar structures that Tao has worked on required large supporting cross beams.

The lack seismic soundness has also been disputed by opponents of Measure S. In 2003, Hermosa historian Chris Miller obtained a letter from engineering firm Breiholz Qazi stating that there were no state-mandated requirements to seismically upgrade the Community Center. Additionally, according to Bakaly, a city-ordered seismic evaluation of public buildings in Sept. 2015 found no issues with the community center for city use.

But according to Tao, state law imposes special requirements for public school facilities. Because the site has been delisted as a school, it would not be grandfathered in under former requirements.

In the event that Measure S does pass, opponents said Tuesday night that they are preparing alternatives. Resident Parker Herriott said he planned to circulate a petition for an ordinance to compel the city to reopen the Community Center as a school, and said opponents would consider suing the district if the bond passed. He also requested that the Los Angeles County District Attorney and grand jury launch a criminal investigation of the school board

“We already beat you last time by 32 votes,” said Herriott, referencing the narrow defeat of school facilities bond Measure Q in 2014. “Don’t elections mean anything to you people? Apparently not.”

5 comments so far. Comments posted to [EasyReaderNews.com](http://www.easyreadernews.com) may be reprinted in the Easy Reader print edition, which is published each Thursday.

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David Hunt ·

NC State University

This brings back memories. I covered the 1977 negotiations between the city and school district for ER. As I recall, the deal nearly fell apart in December but, thanks to some long and contentious meetings of a "blue ribbon committee" right before Christmas, the parties were able to patch things up. Some city officials questioned why the school district had to be paid by the city since the taxpayers already owned the building. A novel legal argument and perhaps not entirely serious. But I do recall the city driving a hard bargain and putting a lot of pressure on the folks in the district to ease off their position.

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**Michael Collins ·**

Hermosa Beach, California

Measure S is a carefully considered program that will improve the quality of education, preserve property values, and provide Hermosa children the classrooms they need to succeed.

Some of the most respected individuals and groups have studied Measure S and have joined together in their endorsement saying, "Vote Yes on Measure S on June 7th!"

Hermosa Beach City Council - Mayor Carolyn Petty, Stacey Armato, Jeff Duclos, Hany Fangary, and Justin Massey.

Elected Officials/Candidates & Former Mayors - Al Muratsuchi, Candidate, State Assembly, Janice Hahn, Candidate for Los Angeles County Super...[See More](#)

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**Bobby Antonio Valleti ·**

El Camino College

\$59 million!!!!!!?! Get yer wallets out, Hermosans!

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**Amanda Liebey ·**

Attorney at Law Office of Amanda L. Ebey, P.C.

North School and Pier Avenue were fine schools in the 60's and 70's for my family, heck my mom went to Pier in the early '40's, make them schools again.

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**Rick Learned ·**

Works at Happily Retired

Great article Ryan.