An adjourned meeting of the regular meeting of June 20, 1968, of the Board of Education of the Santa Barbara High School District was called to order by the presiding officer, Mrs. Henderson, on Thursday, June 27, 1968, at 4:00 p.m., in Room 6 of the Administration Annex.

Present: Mrs. Elisabetta P. Henderson, President
Arnold W. Jacquemain, Vice-President
Robert E. Kallman, Member
David S. Licker, Member

Absent: G. E. Sovine, Member

Others present for all or a portion of the meeting included:
- Dr. Norman B. Schuerer, Superintendent and Secretary-Clerk to Board
- G. E. Browne, Associate Superintendent and Assistant Secretary-Clerk to Board
- Douglas C. White, Assistant Superintendent
- R. V. Jackson, Assistant Business Manager
- Gleeola M. Bruin, Executive Secretary
- Harry Trimborn, News-Press Reporter
- Kenneth R. Nuss, Assistant City Attorney
- E. P. Bradbury, Chairman, City Planning Commission
- Jack Winstrom of Winstrom and Associates, Electrical Engineers
- Ralph T. Viola, General Contractor, and a member of his staff
- Robert N. Christian, President, City Teachers' Association
- Several other staff members, including Dr. Robert C. Rockwell, M. L. Huglin, Dixon L. MacQuiddy
- Dr. Jerry O'Brien
- Mrs. Robert E. Kallman

School Plants and Property

The Superintendent presented a tabulation of advertised bids received and opened Tuesday, June 25, 1968, on certain electrical improvements at Santa Barbara Junior High School (please see Attachment #1 to these Minutes). He recommended that the bids received be taken under advisement and continued to the next regular Board meeting on July 5, 1968, in order to permit further analysis of the bids received and the funds available for this project.

Mr. Browne and Mr. Winstrom summarized the specified work
included in specifications for the base bid, as well as each of
the six deletion alternates to the base bid. Mr. Browne also
reviewed the recommendations and cost estimates of the 1961-1962
Citizens’ Advisory Committee relating to electrical improvements
at said school, as well as the tentative appropriation for said
project in the 1963-1964 budget. He stated the Board would have
the choice of rejecting all bids and postponing the work to
some future date; proceeding with all of the work covered by the
base bid; or proceeding with a portion of the total project.
Mr. Browne stated the present indefinite status of the amount
of income the High School District will have next year from
both State and local sources made it advisable to continue the
decision to a future meeting.

There was discussion regarding the relative importance of
the various bid alternates. In response to a question by
Mr. Kallman, Mr. MacQuiddy expressed his personal belief that
Alternates 1 through 4 could be eliminated from the contract,
particularly Alternate #1 re. fixtures for Room #136, since they
were less important than the other work contemplated. Mr. MacQuiddy
stated new fixtures in Room #136 were not necessary. In response
to particular questions by Board members regarding the reasons
for including Room #136 in the specifications, Mr. Winstrom
replied that said room was inadequately lighted in terms of
present-day standards of illumination, particularly for night
use. There was discussion on a question by Mr. Jacquemain con-
cerning lighting conditions in areas of the building not included
in the base bid. Mr. Winstrom reported that the balance of the
building is not necessarily up to present-day lighting standards,
but that it compares very favorably with the condition of classrooms in older elementary schools before they were improved.

Following further comments, it was moved by Mr. Jacquemain, seconded by Mr. Licker, and unanimously carried, to refer the advertised bids on electrical improvements at Santa Barbara Junior High School to the administration for recommendation, and to continue a decision thereon to the regular Board meeting on July 5, 1963.

Mr. Browne reported that advertised bids on classroom furniture for La Colina and La Cumbre Junior High Schools, and San Marcos and Santa Barbara High Schools had been opened on Tuesday, June 25, 1963, at 2:00 p.m. in accordance with details of the advertisement for bids authorized by the Board at a recent meeting. He stated that the bids received were in process of being tabulated and analyzed, and that details and recommendations thereon would be presented at the Board meeting on July 5, 1963.

The Superintendent presented a tabulation of advertised bids received and opened Wednesday, June 26, 1963, at 2:00 p.m. on projects included in Phase 1 of the building program at Santa Barbara City College, together with an analysis prepared by Mr. Browne on the total estimated cost and the funds available therefor. (Please see Attachments #1's 2 and 3 to these Minutes.)

Mr. Kallman called attention to an article in the News-Press the preceding evening featuring statements by Councilwoman Etta Glahn that the Board of Education might be in the position of violating the terms of its joint exercise
of powers agreement with the City if it did not proceed in
1963-1964 to develop City-owned properties; and statements by
the new Mayor, Mr. W. Don MacGillivray, opposing both the
agreement and development of the City College on the Mesa.
Mr. Kallman stated he had conferred with two Council members
about the matter, and that he had invited Mr. E. P. Bradbury,
Chairman of the City Planning Commission, to attend this meeting.
He called on Mr. Bradbury for his views.

Mr. Bradbury stated the Planning Commission was very much
opposed to the entire plan for a number of reasons, such as the
amount of parking space that would be required to provide a
"University Plan" of 1 parking space/student; the value of the
land to be utilized; and the lack of access roads.

Mr. Licker stated that all of the points mentioned by
Mr. Bradbury, as well as many others, had been given serious and
thorough consideration over a long period of time by the Board
in public discussion meetings called by the Board, in Council
meetings, and by numerous individuals and community groups.
He stated that after very serious consideration, an agreement
between the City and the High School District had finally been
evolved. Mr. Licker said he could see no purpose in reviving
and rehashing the same arguments unless there were some new
points that should be discussed. He also raised the question
of whether the entire matter would have to be gone into every
time a new Mayor is elected.

Mr. Kallman voiced his opinion that, in view of the
fact that publicity had been given to the current reservations
on the part of Mrs. Clahn and Mr. MacGillivray, he felt the
entire matter should be discussed at this time before any further actions were taken by the Board to proceed with City College buildings. He also stated that if there were a serious breach of understanding between the City and the School system, action should be taken to settle it.

Mr. Licker stated there appeared to be two questions inferred by Mr. Kallman’s statements: (1) is there a breach in understanding between the City and the High School District as to the timing of the Board’s development of City properties at school district expense? (2) was the agreement between the City and the High School District proper in the first place? He asked which question was the real issue at this time.

Mrs. Henderson stressed there had been no change in thinking on the part of the Board regarding its development of the City properties, as outlined in the agreement, as soon as funds were available, and that the Board had hoped such funds would be available in 1963-1964. She also stressed that no time table for such development of City properties had been set forth either in the agreement proper or the negotiations preceding its execution.

Mr. Kallman introduced Mr. Kenneth R. Nuss, Assistant City Attorney, stating he had been asked to attend this meeting as the personal representative of Mayor MacGillivray. Mr. Kallman asked Mr. Nuss for his views.

Mr. Nuss said he did not know a final decision on awarding a construction contract for the City College projects had been scheduled for this meeting. He suggested that the matter be continued for a long-enough time for the Mayor and Council members
to have formal discussion on the entire matter to see whether there were to be any change of opinion on the part of the City because of changed circumstances. He stated he had not been involved with preliminary negotiations between the City and the High School District, but he understood the agreement provided that either party thereto could open negotiations to terminate or modify the contract.

Mr. Nuss said the Mayor wanted to make sure that the City, either singly or together with the Board, had a chance to determine what should be done about the agreement in the future.

Mr. Browne reviewed the development of plans for the City College, calling attention to deliberations by the CAC, the amount of the current bond fund appropriation for the City College, and the projects included in said appropriation. He emphasized that said appropriation did not include funds for developing the City- owned properties, and that there had never been any indication whatsoever that the Board would positively provide other funds during the 1963-1964 fiscal year to improve the City properties, since the Board was definitely not in a position to know last year what its financial situation would be for 1963-1964.

Mr. Browne stressed the following points:

1) no portion of the current bond fund appropriation of $3,455,000, for Phase I of the City College building program was ever intended for development of City properties, and this fact had been stated clearly on numerous occasions during the period of negotiations with the City;

2) in May of this year the Board discussed at length an administrative suggestion that $100,000, for development of the City properties be provided by levying an excess tax rate for Community Services, but that the Board in its discretion had decided against including this expenditure in the tentative budget for 1963-1964;

3) the Board must still approve publication and final budgets for next year, and funds from some other source may yet become available for developing the City properties.
(4) at no time was there any indication that the Board would develop all or a portion of the City properties at any specified time;

(5) there has been no breach of contract, either legally or morally, on the part of the Board of Education;

(6) the Board is, in fact, already operating in good faith under the terms of the contract as they relate to the Municipal Swimming Pool.

Mr. Kallman asked how much land had been reserved for community purposes, and whether it consisted of City-owned or District-owned property. Mr. Licker replied that all public school properties may be used for community purposes under the Civic Center Law.

There was discussion regarding various provisions of the subject agreement and its relationship to Phase 1 of the City College building program, as well as the present status of preliminary planning for development of City-owned properties.

Mr. Kallman reaffirmed his earlier statement that there appeared to be a problem regarding fulfillment of the terms of the agreement, and that he felt any misunderstandings should be clarified before any further action were taken regarding building construction.

Dr. Scharer stated that to his knowledge, none of the school system representatives had been aware of any problem until a News-Press reporter contacted Mr. Browne following comments made in an informal Council meeting earlier this week. He stated that the building program at the City College had already been delayed for six months last year because negotiations between the City and the District had taken so much time; and that the reservations brought out again at this meeting had been
thoroughly discussed during said negotiations. He stated that final approval of the joint exercise of powers agreement between the City and the Board last August was the authorization for the Board to proceed with the building program for the City College at the Mesa location. He pointed out that said six-months' delay had increased the urgency of providing educational facilities for City College students at the earliest possible moment, and that an additional delay for any additional period would make the situation just that much more critical. He also pointed out that the Board has an obligation to the community to provide adequate facilities for the City College, which, as a California junior college, is a major part of the Master Plan for Higher Education in California.

Mr. Licker reviewed again the deliberations given by the Board, the City, various citizens' advisory committees, individual citizens, and other community groups in weighing the entire matter of the purposes and proper location of the City College, calling particular attention to the principal points of discussion and the diverse opinions concerning them. He stated that after much discussion and serious thought, a final decision had been reached in August, 1962, to proceed with development of a community college on the Mesa location, utilizing both District-owned and City-owned properties for the benefit of all of the citizens of the community. He stated that on the basis of that decision last August, the Board had proceeded with various actions and expenditures preparatory to the present point of awarding the construction contract. He stated the City, the Board, and the community were not in a
position now to return to the question which had been settled in
good faith last summer of whether the Mesa was the proper location
for the City College. He said the question of whether the
decision to proceed at the Mesa Campus was wrong last August
is not pertinent at this late date since too much progress has
been made beyond the point of that decision.

Mr. Licker stated that as a secondary question, an issue had
been raised by individuals in the City government as to whether
the District was in default of the agreement reached last August.
He confirmed that no time schedule for development of City
properties at school district expense had ever been set forth,
either generally or specifically. He stated a long-range master
plan for developing the City College had been presented and dis-
cussed, but there had been no inference or expectation that all
of the work would be done the first year.

Further discussion ensued during which Mr. Jacquemain
reviewed his earlier reservations concerning the advisability
of developing the City College at its present location, and the
thinking that caused him to change his viewpoint. He stated
that the concept of a "community college" was new, and that he
felt it would work realistically to the best interests of both
the City and the school system.

Mr. Nuss renewed his appeal that a decision on awarding
a construction contract be delayed for at least a week to give
the Mayor and the City Council time to review the terms of
the City-Board of Education agreement to determine if there
were any change in circumstances applicable to said agreement.
Mr. Kallman concurred with Mr. Nuss.
Adjourned Meeting, Santa Barbara High School District, June 27, 1963, Page 10

Following a further exchange of comments among the Board members, Mr. Muss, Dr. Scharer and Mr. Browne, it was moved by Mr. Licker, seconded by Mr. Jacquemain, and unanimously carried, to adopt the following statement and to direct that a copy be forwarded to the Mayor and Members of the City Council:

"It is the intention of the Board of Education of the Santa Barbara High School District that all of the terms of the agreement dated August 28, 1963, with the City of Santa Barbara for the joint use of City-owned and District-owned properties in the immediate vicinity of Santa Barbara City College as specified in said agreement shall be carried out exactly as agreed upon according to the terms of said agreement hereinbefore entered into by the governing bodies of both agencies.

"It is the intention of the Board of Education to proceed in this regard in an orderly manner and with full regard to the needs of both the City and the High School District in connection with the use of the respective properties. The improvements will be completed in continuous consultation and cooperation between both public bodies so that the purposes, aims, and needs of the parties set forth in the agreement will be carried out in full."

In response to a question by Mr. Jacquemain, Mr. Browne reported on the present status of negotiations with Jean Paul Wolff, owner-representative of the property across Leadbetter Road from the City College Campus re, possibilities of the District's purchasing a portion of said property for City College purposes. Mr. Kallman called attention to a "For Sale" notice on property located on Montecito Street adjacent to City-owned properties, and Mr. Jacquemain suggested that inquiries be made regarding its size, cost, etc.

Other points discussed included the appropriation for contingencies in the City College project; estimated State funds expected to be available from Proposition L-A and the Tax Relief Grant; and the comparison of bids received with earlier estimates of cost. Mr. Ralph T. Viola, General Contractor who was low
bidder on the Phase 1 construction, answered a number of questions by Board members.

There was general discussion on details of the work contemplated in the base bid and the eight alternate bids, as well as the amounts of the respective bids submitted by the five firms bidding on the general contract. It was then moved by Mr. Jacquemain and seconded by Mr. Licker to accept the low bid of Ralph T. Viola, Inc., in the total amount of $2,487,900. (base bid plus alternates #s 3 and 6 as summarized below), and to authorize and direct the Business Department to execute the necessary contract documents.

$2,466,000. Base bid

18,100. Alternate #3 for construction of pergola structures

3,800. Alternate #6 for installation of vinyl asbestos floor tile and vinyl base in Library Unit A

$2,487,900. TOTAL

Following further discussion regarding the effect of delaying action on awarding the construction contract as suggested by Mr. Kallman and the Assistant City Attorney to permit further studies, the motion was carried with one dissenting vote by Mr. Kallman.

Mr. Kallman stated he was not voting against the City College building program, but rather, in favor of delaying the award of contract for one week in order that the Board might come to a complete understanding with the City.

Mrs. Henderson asked Mr. Nuss to explain to the Mayor the regret of the Board of Education that it felt it must proceed immediately with the construction in view of the delays that have
already occurred, and because of the increasing urgency of coping with increasing enrollments. She suggested that the administra-
tion meet with the Mayor to discuss the situation.

Mr. Kallman objected, stating that the Board members should meet with the City Council, and not leave any clarification of viewpoints in the hands of administrators.

There was discussion on alternative suggestions, following which it was moved by Mr. Jacquemain, seconded by Mr. Licker, and unanimously carried, that the Superintendent be requested to arrange an informal discussion meeting to be attended by the Mayor and Council members, Board members, the Superintendent, Associate Superintendent, and Executive Secretary.

No further business being presented, the meeting adjourned subject to the call of the Chair.

Attest:

Norman B. Scharex, Superintendent and Secretary-Clerk to Board of Education

Mrs. Elisabetta P. Henderson, President

Approved by Board of Education on _____________, 1968