



Magnolia Public Schools

Regular Facility Committee

Amended on October 5, 2017 at 5:20 PM PDT

Date and Time

Thursday October 5, 2017 at 5:00 PM PDT

Location

MPS Home Office: 250 E. 1st St. Suite 1500 Los Angeles, CA 90012

Meeting Notice

Access to the Board Meeting: Any interested parties or community members from remote locations may attend the meeting at the following school sites or the addresses where the Board members are joining the meeting from:

Remotely by dialing; Dial:1.844.572.5683 Code: 1948435

- 449 36th Street #2 Brooklyn, NY 11232 (Mr. Nguyen Huynh)
- 7528 Yarmouth Ave. Reseda, CA 91335 (Dr. Saken Sherkanov)

In compliance with the Americans with Disabilities Act (ADA) and upon request, Magnolia Public Schools may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Individuals who require appropriate alternative modification of the agenda in order to participate in Board meetings are invited to contact the MPS central office. If you need special assistance to attend the meeting or translation services, please notify Barbara Torres at (213) 628-3634 x100 to make arrangements and accommodations.

Any public records relating to an agenda item for an open session of the Board which are distributed to all, or a majority of all, of the Board members shall be available for public inspection at 250 East 1st St. Ste 1500 Los Angeles, CA 90012.

Facilities Committee Members

Mr. Nguyen Huynh
Mr. Saken Sherkanov
Ms. Charlotte Brimmer

CEO and Superintendent
Dr. Caprice Young

Agenda

Purpose	Presenter	Duration
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I. Opening Items

- | | | | |
|--|-----------------|--|---|
| A. Record Attendance and Guests | | | |
| B. Call the Meeting to Order | | | |
| C. Pledge of Allegiance | | | |
| D. Public Comments | | | 1 |
| E. Approval of Agenda | Vote | | 1 |
| F. Approval of Minutes from Regular Facility Committee Meeting- September 7, 2017 | Approve Minutes | | 1 |

II. Approval Recommendation Items

- | | | | |
|--|------|-------------|----|
| A. Recommended Approval of Ratified Facility Use Agreement for MSA San Diego Temporary Facilities | Vote | Erdinc Acar | 10 |
| B. Recommended Approval of Scope Changes for MSA-SA Gym/Cafeteria Construction Project | Vote | Erdinc Acar | 15 |
| C. Recommended Approval of MSA-1 Zone Variance RFP Winning Bid Announcement | Vote | Suat Acar | 10 |

III. Updates on Facility Projects

- | | | | |
|--|---------|--------------|----|
| A. MSA 7 CUP Expansion Project Update | Discuss | Suat Acar | 15 |
| B. Updates on Magnolia Science Academy- 1 Facility | Discuss | Suat Acar | 10 |
| C. Update on Magnolia Science Academy- San Diego Facility | Discuss | Gokhan Serce | 15 |

IV. Closing Items

- | | | | |
|---------------------------|------|--|--|
| A. Adjourn Meeting | Vote | | |
|---------------------------|------|--|--|

Cover Sheet

Approval of Minutes from Regular Facility Committee Meeting- September 7, 2017

Section: I. Opening Items
Item: F. Approval of Minutes from Regular Facility Committee Meeting-
September 7, 2017
Purpose: Approve Minutes
Submitted by:
Related Material:
Minutes for Regular Facility Committee Meeting on September 7, 2017



Magnolia Public Schools

Minutes

Regular Facility Committee Meeting

Date and Time

Thursday September 7, 2017 at 6:00 PM

Location

MPS Home Office: 250 E. 1st St. Ste 1500 Los Angeles, CA 90012

Committee members who joined remotely attended from the following locations:

- 449 36th Street #2 Brooklyn, NY 11232 (Mr. Nguyen Huynh)

Facilities Committee Members

Mr. Nguyen Huynh

Mr. Saken Sherkhonov

Ms. Charlotte Brimmer

CEO and Superintendent

Dr. Caprice Young

Committee Members Present

C. Brimmer, N. Huynh (remote), S. Sherkhonov

Committee Members Absent

None

I. Opening Items

A. Record Attendance and Guests

C. Brimmer and S. Sherkhonov attended the meeting in person from the MPS Home Office. N. Huynh participated remotely from the location stated above.

B. Call the Meeting to Order

S. Sherkhanov called a meeting of the Facility/Audit committee of Magnolia Public Schools to order on Thursday Sep 7, 2017 @ 8:37 PM at MPS Home Office: 250 E. 1st St. Ste 1500 Los Angeles, CA 90012.

C. Public Comments

There were no public comments.

D. Approval of Agenda

S. Sherkhanov made a motion to approve the agenda as presented.

N. Huynh seconded the motion.

The committee **VOTED** unanimously to approve the motion.

E. Approval of Minutes of the Regular Facilities Committee Meeting; October 5, 2016

N. Huynh made a motion to approve minutes from the Facility Committee Meeting on 10-05-16.

S. Sherkhanov seconded the motion.

The committee **VOTED** to approve the motion.

Roll Call

N. Huynh Aye

S. Sherkhanov Aye

C. Brimmer Abstain

II. Updates on Facility Projects

A. Updates on Magnolia Science Academy- 1 Facility

S. Acar, Chief Operations Officer, presented the updates on the Magnolia Science Academy-1 Facility projects. He explained the details of the construction project on this site and explained the 5 year plan including details on the demolition and zone variance. C. Young, Chief Executive Officer, gave details on the difference between approvals for public and private projects. C. Brimmer requested a copy of the site plan for this project. Committee and staff discussed the details. This was a discussion item, no actions were taken.

B. Update on MSA Santa Ana GYM - Bond Project

E. Acar, South Regional Director, presented the updates on the MSA Santa Ana facilities project. He informed the committee that a Construction Manager was hired and stated that staff would be meeting with them weekly and he also went over some of the preliminary construction schedule. Staff informed the committee that there was a different Construction Manager for the MSA San Diego project and one for the MSA 1 project. This was a discussion item, no actions were taken.

C. Update on Magnolia Science Academy- San Diego Facility

E. Acar, South Regional Director, presented the updates of the MSA San Diego facility. He gave details on the temporary locations and went over enrollment numbers. Staff explained their communication methods with parents, staff and students and they explained the efforts that have been put in place to recruit new students and to keep current students. This was a discussion item, no actions were taken.

III. Closing Items

A. Adjourn Meeting

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 9:10 PM.

Respectfully Submitted,
S. Sherkhanov

Cover Sheet

Recommended Approval of Ratified Facility Use Agreement for MSA San Diego Temporary Facilities

Section: II. Approval Recommendation Items
Item: A. Recommended Approval of Ratified Facility Use Agreement for
MSA San Diego Temporary Facilities
Purpose: Vote
Submitted by:
Related Material: II A Ratification of Facility Use Agreement for MSA SD.pdf



Board Agenda Item #	Agenda II A - Action Item
Date:	October 5, 2017
To:	Magnolia Board of Directors- Facilities Committee
From:	Caprice Young, Ed.D., CEO & Superintendent
Staff Lead:	Erdinc Acar, Regional Director
RE:	Ratification of the facility use agreement between MCN and MSA-SD

Proposed Board Recommendation

I move that the MPS Finance Committee recommends the board to authorize the CEO and Superintendent of MPS, to negotiate and sign the contract extension regarding the facility use agreement between Mission Church of Nazarene (MCN) and MSA-SD through October 31, 2017.

Background

Magnolia Science Academy San Diego has been constructing its permanent site at the 6525 Estrella Ave at a land leased through SDUSD. Delays in the construction necessitate the school to start at a temporary site at Mission Church of Nazarene. The initial facility rental agreement with MCN is on a weekly basis for approximately two weeks. Expected delays in the construction will increase the contract lease amount over \$25,000 requiring board approval for the revised contract.

Based on General Contractor's recent update, the school is expected to move to the new site before October 30, 2017. Extension of the lease agreement between MSA-SD and MCN is needed for continued operations of the school.

Budget Implications

Weekly lease amount is estimated at \$8,595.

Funding Source: General Funds

Not included in the 2017-18 Adopted Budget

How Does This Action Relate/Affect/Benefit All MSAs?

No perceived effects on other MSAs.

Name of Staff Originator:

Erdinc Acar, Regional Director

Attachments (2)

1. MCN Building/Facility Lease Agreement
2. MCN Facility Facility Rental Fee Schedule

BUILDING/FACILITY USE AGREEMENT

Contract Issued Date:

Event Title/Purpose: Magnolia Science Academy Charter School

Event Dates and Times: September 30 through Oct 30 2017

Special Equipment Needs: Tables, Chairs as discussed

Special Personnel Needs: Non except janitorial

Renter Name: Gokhan Serce, Principal

Address: 6525 Estrella Ave, San Diego California

Contact: Gokhan Serce, Principal

Phone: (619) 644-1300

Fax: (619) 327-2764

E-mail: gserce@magnoliapublicschools.org

Terms and Conditions

It is agreed between Mission Church of the Nazarene, hereinafter "MCN" and Magnolia Science Academy-SD hereinafter "MSA" and referred to as RENTER, that MCN shall allow MSA access and the use of the FACILITY as conditioned and described below, subject to all the policies and conditions of MCN.

Renter and MCN agree as follows:

1. RENT. By signing this agreement, Renter agrees to pay a fee of \$ per attached fee schedule and agrees to pay, upon receipt of final billing, for all services provided including services requested after signing this agreement. Checks will be made payable to Mission Church of the Nazarene.
2. Renter agrees to be responsible for any damage done to any MCN facilities and/or equipment by Renter and/or any of Renter's guests, including, but not limited to, event participants, employees, or independent contractors, during the course of Renter's event.
3. MCN does not guarantee the safety of any items left on the premises by the Renter and/or guests prior to, during, or following Renter's function.
4. Renter agrees to return facilities and equipment to original condition at the end of the day. Failure to do so will result in an additional fee of \$25.00 per room per day. This fee will be waived upon mutual agreement of schedule when Renter is returning to use the FACILITY the next day.
5. Renter shall carry liability insurance in an amount of not less than \$3,000,000 and shall name MCN as additional insured. Renter shall provide MCN with a Certificate of Insurance. Renter shall indemnify, defend, and hold MCN harmless from and against any and all damages, claims, judgments, and costs (including attorney fees) arising from:
 - a. Renter's use of MCN facilities and/or equipment.
 - b. Renter's activities while using MCN facilities and/or equipment.
 - c. Anything done, permitted or suffered by Renter and/or Renter's guests.
 - d. Renter's failure to perform any part of this agreement.
 - e. Any other reason caused by Renter.
6. Renter understands that alcoholic beverages and illegal drugs are prohibited on MCN property and that smoking is not permitted inside any buildings. Renter agrees to monitor the activities of Renter's guests to insure that there is no violation of this policy.

- 7. Renter represents that no conduct or activity in MCN’s FACILITY will be disruptive or violate any ordinance or law, or impact the operation of the Preschool located on the property.
- 8. MCN reserves the right to assign equivalent alternative space for Renter’s function in the event that the facility originally designated for such function shall become unavailable. In the unlikely event that equivalent alternative space is not acceptable to Renter, Renter may renegotiate a new rate or cancel this agreement.
- 9. The undersigned understands and agrees that this Building/Facility Use Agreement does not establish an employer-employee relationship between Renter and MCN, that the event is neither a conducted event nor sponsored event of MCN. In addition, it is understood that MCN will not exercise any physical or other control over the operation of the event other than those spelled out in this Building/Facility Use Agreement. Renter understands that MCN is not providing any supervision of the event by this agreement.
- 10. If either party should bring an action to enforce any of the terms, conditions, or promises in this agreement, the prevailing party in any such action shall be entitled to its reasonable attorney’s fees and costs.
- 11. Renter has the right to cancel this agreement up to 72 hours before the scheduled date. If Renter cancels within the 72-hour period before the scheduled event, Renter agrees to pay 50% of the estimated charges as liquidated damages for the first day.

[] Renter understands that no promises are made otherwise than what is contained in this agreement, that no warranties have been made that the FACILITY will be adequate for Renter’s planned used, and that Renter accepts the FACILITY in an AS IS condition. Renter has inspected the FACILITY to be used and has independently determined that it is suitable and safe for their particular purpose. Renter to initial box at left.

[] Tenant may extend the term by 2 weeks periods upon not less than 1 week of prior written notice, at which time the option to extend will be deemed irrevocable. The extension terms will be on the same terms and conditions as the agreement. Landlord to initial box at left.

I, the undersigned, have read this agreement and understand it is a legal contract and agree to abide by its contents. I also certify that I may act as agent for Renter in matters of contract and financial encumbrance.

Renter/Agent for Renter.
 Name: Caprice Young
 Signature: _____
 Title: CEO and Superintendent
 Date: _____

Agent for Mission Church of the Nazarene
 Name: _____
 Signature: _____
 Title: _____
 Date: _____

Please sign and return to Lead Pastor or their designee. Contract not valid until signed by MCN Agent.

Mission Church of the Nazarene

4750 Mission Gorge Place

San Diego, CA 92120

619-287-3211

Magnolia Science Academy Weekly Facility Rental

Service	Sat.	Sun.	Mon.	Tue.	Wed.	Thur.	Fri.	Comments	# of Days	Daily Rate	Total
Fellowship Hall Rental (3/4)			X	X	X	X	X		5	\$ 450.00	\$ 2,250.00
Fellowship Hall No Re-Set (cr)		RS	no	no	RS	no	RS		3	\$ (45.00)	\$ (135.00)
Youth Bungalow West Rental			X	X	X	X	X		5	\$ 100.00	\$ 500.00
Youth Bungalow West No Re-Set (cr)		RS	no	no	RS	no	RS		3	\$ (15.00)	\$ (45.00)
Youth Bungalow NE Rental			X	X	X	X	X		5	\$ 100.00	\$ 500.00
Youth Bungalow NE No Re-Set (cr)		RS	no	no	RS	no	RS		3	\$ (15.00)	\$ (45.00)
Youth Bungalow SE Rental			X	X	X	X	X		5	\$ 100.00	\$ 500.00
Youth Bungalow SE No Re-Set (cr)		RS	no	no	RS	no	RS		3	\$ (15.00)	\$ (45.00)
Foyer Office			X	X	X	X	X		5	n/c	\$ -
		RS	no	no	no	no	RS			\$ -	\$ -
After School Program			X	X	X	X	X		5	n/c	\$ -
Room 210 Rental			X	X	X	X	X		5	\$ 130.00	\$ 650.00
Room 210 No Re-Set (cr)		RS	no	no	no	no	RS		4	\$ (15.00)	\$ (60.00)
Room 209 Rental			X	X	X	X	X		5	\$ 130.00	\$ 650.00
Room 209 No Re-Set (cr)		RS	RS	no	no	no	RS		3	\$ (15.00)	\$ (45.00)
Room 208 Rental			X	X	X	X	X		5	\$ 100.00	\$ 500.00
Room 208 No Re-Set (cr)		RS	no	no	no	no	RS		4	\$ (15.00)	\$ (60.00)
Room 206 Rental			X	X	X	X	X		5	\$ 100.00	\$ 500.00
Room 206 No Re-Set (cr)		RS	no	no	RS	no	RS		3	\$ (15.00)	\$ (45.00)
Room 202 Rental			X	X	X	X	X		5	\$ 130.00	\$ 650.00
Room 202 No Re-Set (cr)		RS	no	no	no	no	RS		4	\$ (15.00)	\$ (60.00)
Room 203 Rental			X	X	X	X	X		5	\$ 100.00	\$ 500.00
Room 203 No Re-Set (cr)		RS	no	no	no	no	RS		4	\$ (15.00)	\$ (60.00)
Room 204 Rental			X	X	X	X	X		5	\$ 130.00	\$ 650.00
Room 204 No Re-Set (cr)		RS	no	no	no	no	RS		4	\$ (15.00)	\$ (60.00)
Room 109 Rental			X	X	X	X	X		5	\$ 130.00	\$ 650.00
Room 109 No Re-Set (cr)		RS	no	no	no	no	RS		4	\$ (15.00)	\$ (60.00)
Room 110 Rental			X	X	X	X	X		5	\$ 100.00	\$ 500.00
Room 110 No Re-Set (cr)		RS	no	no	no	no	RS		4	\$ (15.00)	\$ (60.00)
Playground Grass area			X	X	X	X	X		5	\$ 75.00	\$ 375.00
Calendar Period Total											\$ 8,595.00

Cover Sheet

Recommended Approval of Scope Changes for MSA-SA Gym/Cafeteria Construction Project

Section: II. Approval Recommendation Items
Item: B. Recommended Approval of Scope Changes for MSA-SA Gym/
Cafeteria Construction Project
Purpose: Vote
Submitted by:
Related Material: II B MSA SA Gym Scope Change.pdf



Board Agenda Item #	# II B
Date:	October 5, 2017
To:	Magnolia Board of Directors- Facility Committee
From:	Caprice Young, Ed.D. CEO and Superintendent
Staff Lead:	Erdinc Acar, M. Ed., Regional Director
RE:	Approval of Scope Changes in MSA SA Gym Project

Proposed Board Recommendation

I move that the board accept the scope changes in MSA-SA Gym and Cafeteria project as outlined in Architect's work authorization and authorize the MPS CEO and Superintendent to negotiate and approve the Architect's work proposal for design changes.

Background

MSA-SA PHASE II construction project includes construction of a gymnasium building, connecting utilities and portion of site work including shaded cafeteria area with lunch tables, benches and 2 shade structures and playground area and equipment.

School site team and construction manager identified several improvements and cancellations to increase functionality and compliance in the scope while providing estimated savings. The improvements and cancellations are estimated to provide a saving of \$364,642 that can be allocated for floor upgrade, furniture, fixture and equipment. The proposed changes require architect to redesign the plans for bidding and construction purposes. Details can be seen in the attachments.

Budget Implications :

Board approved budget has enough contingency for architect's contingency allowance to cover this cost. Gym construction budget is privately funded through bond issuance involving MSA-SA, MSA-1 and MSA-SD projects.

- Increase in architect fees- \$10,063
- Anticipated Saving from Total Hard Cost \$364,642

How Does This Action Relate/Affect/Benefit All MSAs? :

Capital investment will have positive effects on the organization as a whole.

Name of Staff Originator: Erdinc Acar, M. Ed., Regional Director

Exhibits (attachments):

- MSA-SA Gym project update (Background, scope, status, timeline, budget)
- Work Authorization proposal by Berliner Architect
- Proposed Value Engineering Estimate by Gafcon

SCOPE CHANGE ANALYSIS

MSA-SA GYM, CAFETERIA AND PLAY AREA CONSTRUCTION

**Friday, September 26, 2017
Erdinc Acar, Regional Director**

A- BACKGROUND, SCOPE AND CURRENT STATUS

MSA-SA built designed and built a two story facility totaling 48,353 square feet with 33 classrooms on a lot of 2.68 Acres at 2840 W 1st Street in the City of Santa Ana in Orange County through the Charter School Facilities Program Proposition 1D program. Original site plans included a- 6,509 square feet gym with cafeteria, shade structures and a playground. Because Prop1D funds were not enough to cover these Phase II projects, they were scheduled to be completed later paid for by private financing.

The scope of current construction projects in MSA-SA includes construction of the gymnasium building, connecting utilities for the pull boxes already existing at the site as shown in the drawings and portion of site work including shaded cafeteria area with lunch tables, benches and 2 shade structures and playground area and equipment as shown in drawings/specifications.

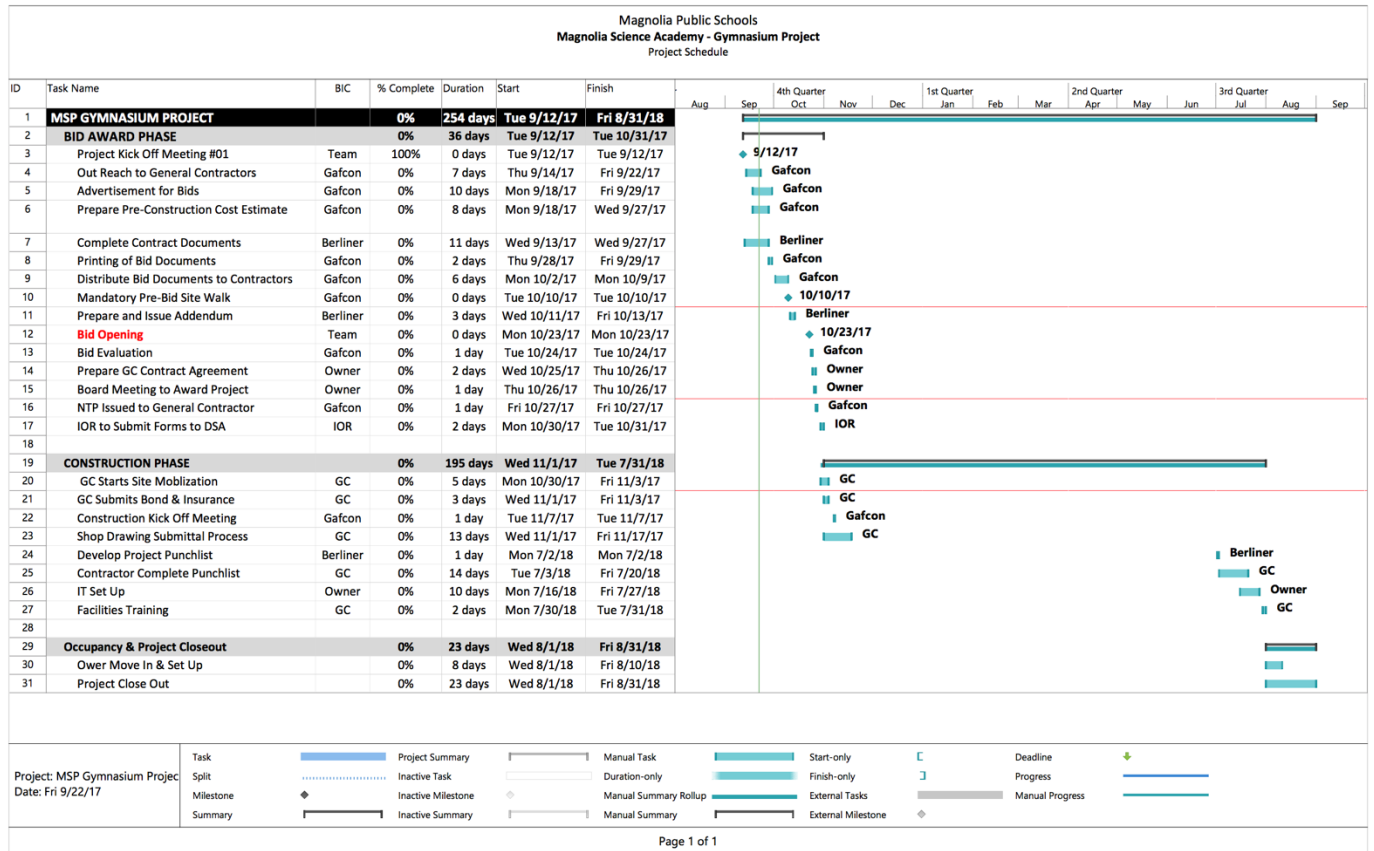
The gymnasium building is a 6,509 sqft, Type V A, fully sprinklered building with automatic fire alarm system. It is a CMU building with steel and metal deck roof structure and metal stud framing.

The drawings and specifications including the general conditions are already approved by DSA. DSA box is already operational based on the completed school building is still in operation. Portion of the DSA approved buildings and site is already built. The area built is already updated in the DSA box by the IOR and the A-E consultants and has no deviations. The site has existing functional school building with finished site work, parking, fire lane, landscaping and utilities.

Currently, GAFCON CM services manages the project. The scope of CM work includes general tasks such as working with Magnolia Public Schools staff, architects, consultants, general contractors, sub-contractors and all other required agencies, tasks during the bid/award construction management phase, construction management phase and contract close-out phase.

Third coordination meeting was held on Sep 26 between MPS, Architect and CM. Project schedule is listed below.

B- PROJECT SCHEDULE



C- CHANGES RECOMMENDED

- 1- Remove the two shade structures (retractable tents). Replace with removable tent to cover the entire lunch areas.

Remove proposed shade structures from sheet A0.21, CB-C1.11, CB1.12

- 2- Remove all trees (6) in the cafeteria areas from the plan. Have a uniform flooring in the openings
Remove (6) Cafeteria trees from planting sheet L2.11. Need to review with Landscaping consultant on code/zoning implication or if they have to be shown somewhere else in order to meet tree counts in the property.

Revise Irrigation plan L1.11

Revise site plan A0.21 (remove trees/ dining area to be covered by concrete paving)

- 3- Results from the removal of trees.

Replacement trees?? Landscaping consultant to confirm Landscaping confirmed no additional or replacement trees are required.

- 4- Cafeteria tables

Remove cafeteria tables and benches scope from A0.21 and specifications. NIC owner provided – GC TO PROVIDE THE TABLES NIC Owner Provided – No drawings of new layout required.

Provide 30 regular and 4 ADA cafeteria tables instead of 43 cafeteria tables at site plan A0.21 NIC Owner Provided – No drawings of new layout required.

Provide ADA cafeteria tables and provide enlarged plans showing required clearances # OF ADA TABLES NEED TO BE CONFIRMED

- 5- Convert the “landscaped turfed area” north of the playground structure to all concrete top
Landscaping and Civil consultants to confirm code and zoning compliance. Landscape and civil confirmed that these changes do not change the overall design and still meets code compliance.

Sheet A0.21 remove landscape turf and provide concrete top

Revise Irrigation Plan L1.11

Revise planting plan L2.11

Reference/revise appropriate detail @ 7/L2.51

- 6- Floor OPTION

Multi sport Athletic Surface – Rubber synthetic floor is asked as alternate

Replace from VCT to above rubber floor

Transition to be considered.

Provide striping detail

Redesign appropriate details

Need to review the transition from rubber flooring to VCT since the rubber flooring is thicker. VCT thickness is 1/8" gauge (3.2mm) and Rubber floor thickness is 5mm / 1/5" minimum. This rubber flooring is available in 5, 6, 8, 10, 12 and 14 mm. Owner should confirm the thickness. Owner to approve thickness. - min 12 mm THIS IS NOT a CIF size basketball

7- *AIR CURTAIN –*

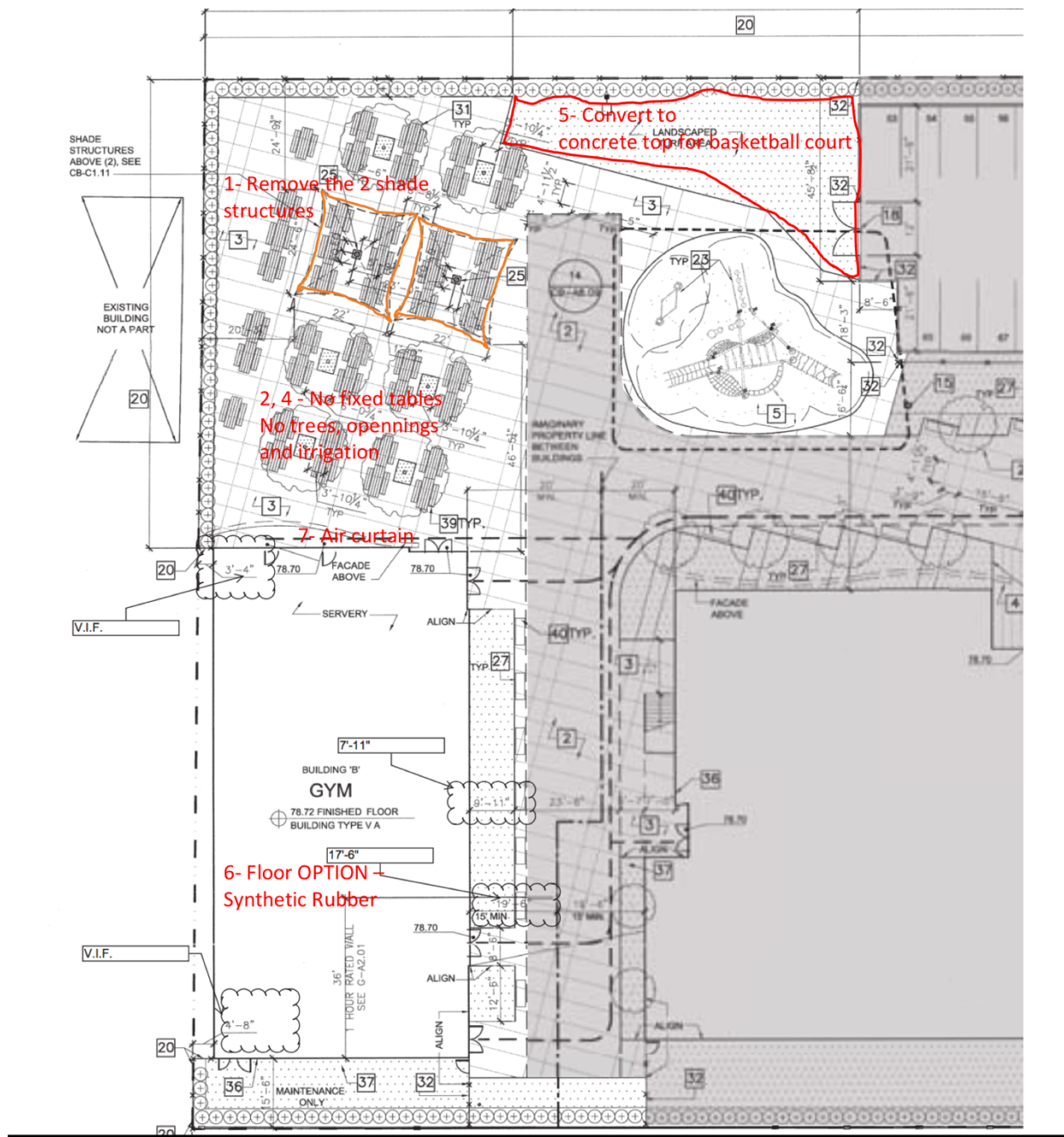
CM recommends to include electronically controlled air curtain in front of the servery to be compliant with OC Health department.

D- REASONS FOR CHANGES

- a. The 2 shade structures in the current plan provides limited sun block for a small amount of tables. The trees will take several years to grow to provide shade. The area is designed only for eating. It cannot be used for other functions because the cafeteria tables will be fixed to the ground and the odd shapes of the shade structure will limit putting additional shade structures.
- b. Currently, the school suffers from open area for multiple school functions such as PE, playgrounds and meetings. We can convert the cafeteria area for multi purpose area.
- c. Removing fixed cafeteria tables and purchasing directly from vendors is also cost saving in terms of GC overhead.
- d. The landscaped area north of the playground structure is left as Turfed Landscaped area. Converting this to concrete top will open additional PE and playground area for the students and teachers.
- e. Current plans show the gym floor as VCT. This floor is useless for indoor gym purposes. We would rather have polished concrete than VCT. VCT requires more maintenance. Our and CM's recommendation is to bid floor with an alternate as synthetic rubber floor as one here;
 1. <http://www.robbinsfloor.com/2012/04/pulastic-classic-110/>
 2. <http://cdn.sqhk.co/connor/e2LsheU/ControlXT1.pdf>
 3. <http://www.dynamicsportsconstruction.com/products/dynacourt/>
- f. CM recommends to include electronically controlled air curtain in front of the servery to be compliant with OC Health department.

E- CHANGES MARKED IN THE CURRENT CONSTRUCTION PLANS

Planned construction is only non-gray colored areas. Changes are market



F- BUDGET IMPACT

a. DESIGN ADDITION COST

i. Architect is asking for \$7,310 for design cost excluding air curtain – cost TBD

Architects - \$5,000

Total Architectural Labor - \$5,000

Ahbe – Landscape Architects - \$1,200

Brandow & Johnston – Civil - \$1,000

Total Consultant Labor - \$2,200 5%

Consultant Markup - \$110

Total Cost - \$7,310

b. CONSTRUCTION COST/SAVING ESTIMATE – To be provided by Mike Langel in two days

- i. Savings from shade structures – TBD
- ii. Savings from lunch tables – TBD
- iii. Savings from landscaping – trees, turf, irrigation
- iv. Savings from VCT floor
- v. Cost of converting landscape area to concrete top
- vi. Cost of synthetic rubber floor (Alternate bid) – TBD

G- BUDGET

Magnolia Science Academy Santa Ana		
Gym		Aug-17
Uses	\$	
Soft Costs	\$ 559,379.70	
Hard Costs	\$ 3,300,000.00	
Total Project Costs	\$ 3,859,379.70	
Site Development Budget		
Use	Amount	Notes
<i>Soft Costs</i>		
Construction Management	\$ 203,500	
Architect (Berliner)	\$ 230,027	
Inspection	\$ 40,000	
Agency Fees	\$ 35,000	
Subtotal Soft Cost	\$ 508,527	
Contingency @ 10%	\$ 50,853	DSA, District, City Fees (if applicable)
Total Soft Cost	\$ 559,380	
<i>Hard Costs</i>		
Site Improvement:	\$ 3,000,000	
Grading & Paving	included	
Utilities	included	
Landscaping	included	
Demolition and Grading	Included	
Testing	included	
Subtotal Hard Cost	\$ 3,000,000	
Contingency @10%	\$ 300,000	
Total Hard Cost	\$ 3,300,000	
Total Soft and Hard Cost	\$ 3,859,380	

WORK AUTHORIZATION

BERLINER
ARCHITECTS

Work Authorization Number	01	Date	09/21/17
Project	Magnolia Santa Ana Gym Rebid	Project Number	12-27.4
Project Location	Magnolia Science Academy - Santa Ana		
Client	Magnolia Public Schools		

Authorization is confirmed for Berliner Architects, to perform the following services:

Gym Improvements please see attached MSA-SA Gym and Cafeteria Specs/Improvements.


MEP Fee to be revised after electrical meeting with client and Rasul.

Berliner Architects - \$5,000
Total Architectural Labor - \$5,000
Ahbe - Landscape Architects - \$1,200
Brandow & Johnston - Civil - \$1,000
Total Consultant Labor - \$2,200
5% Consultant Markup - \$110
Total Cost - \$7,310

Original or Master Agreement (if any), dated:

Other References:

Fee and Basis
Total Fee - \$7,310

Date service began:	07/21/17	Services projected to be completed no later than the following, if indicated:
Services requested by:	Frank Gonzalez	Date of Request: 07/21/17
Prepared by:		Date Signed: 09/21/17

See reverse side of this Work Authorization (Page 2) for Terms and Conditions.

Client Authorization by: _____ Date Signed: _____

5976 Washington Blvd.
Culver City
California 90232
Tel:310. 838 2100
Fax:310. 838 2150

Work Authorization Terms and Conditions

1. Berliner Architects shall provide the services specified on page 1 of this Work Authorization. Terms and Conditions shall be in accordance with the original or master agreement between Client and Architect, or if such does not exist or is not applicable to this Work Authorization, the Terms and Conditions below shall be incorporated into this Work Authorization. Should anything arise that is not covered by such Terms and Conditions or this Work Authorization, then applicable provisions of Berliner Architects Standard Terms and Conditions STC, current as of the date of this Work Authorization, shall govern. Copies of these documents are available from the Architect on request. The provisions on page 1 of the Work Authorization take precedence over the Terms and Conditions. Where a portion of one document is amended by another of later date, all unmodified portions shall remain in effect. The term "Architect" includes the Architect's officers, directors, shareholders, employees and agents. This Agreement shall not create a contractual relationship or duty to any third party.
2. Fees to be compensated on an hourly basis shall be computed by multiplying the hours directly spent on the Project by the hourly billing rates of the Architect's standard rate schedule, which rates are subject to adjustment periodically, plus 1.1 times any consultants invoices, unless otherwise stated in the Letter of Agreement.
3. Fees to be compensated on a lump sum or percentage basis shall be based upon the Architect's determination of the proportion of its services completed through the billing period.
4. The following Reimbursable Expenses incurred by the Architect in connection with the Project are not included in the Fee stipulated unless specifically stated in this Work Authorization or the Master Agreement, if any: Models and renderings, photography, printing, reproductions, reproduces, telecommunications, data communications, facsimile, long distance telephone calls, travel, out-of-town living expenses, shipping, delivery and messenger service, sales taxes and the like, shall be billed at 1.1 times the amounts invoiced to Berliner Architects, or where incurred as in-house hourly costs, at the Architect's standard hourly billing rates, unless otherwise stated in this Work Authorization. Other than for computer usage in connection with accounting procedures and non-technical word processing, usage of computer, CADD and plotting equipment shall also be a Reimbursable Expense, billed at the Architect's standard rates.
5. Payment for fees and expenses, normally billed monthly, shall be due upon receipt of the Architect's invoice. Disputes and questions regarding an invoice shall be brought to Architect's attention within ten days following receipt of invoice, and shall not be cause for withholding payment for the undisputed portion of the invoice. A service charge of 1.5% per month, in addition to reasonable collection expenses, shall be added to balances unpaid 30 days after invoice date. The Architect reserves the right to suspend or terminate its services, or withhold its documents without notice, if payment in full is not received within 60 days after invoice date, and the Architect shall not be held liable for any claims or losses that may result therefrom.
6. If the scope of the Project, Architect's services, or Project Time is increased, compensation shall be increased accordingly. If the Scope of the Project or Architect's services is decreased, fees for the balance of the Architect's services not yet performed shall be adjusted accordingly.
7. After completion or termination of the Architect's services, and after all payments due the Architect have been made, the Client may retain and use only for alteration, additions, or completion for this Project, copies or reproduces of drawings, specifications, and other materials prepared by the Architect in connection with the Project. In the event of such use, the names and other identifications of the Architect and its consultants shall be removed from the documents and the Architect and its consultants shall be indemnified and held harmless by the Owner for claims arising out of 1) work performed subsequent to the Architect's services, 2) work not constructed or installed in accordance with the Architect's full Construction Documents, or 3) work constructed or installed without the Architect's full construction observation services.
8. In the event of any dispute, controversy or claim arising out of this Agreement or any alleged breach thereof ("Dispute"), the Client and Architect shall participate in a mediation conducted under the auspices of a recognized neutral third-party professional Mediation Service, in a good faith effort to negotiate a resolution of the Dispute, prior to undertaking any legal action. The selection of the Mediation Service shall be acceptable to the parties, and the cost of the Mediation Service shall be borne equally by the parties. In any legal action following the unsuccessful mediation of a dispute, the prevailing party shall be entitled to reasonable attorney's fees.
9. The Client acknowledges that the Architect is unable to reasonably obtain insurance for claims arising out of the performance or failure to perform professional services, including but not limited to, the preparation of reports, designs, drawings and specifications or testing related to the investigation, detection, abatement, replacement, discharge or removal of products, materials or processes containing asbestos, PCB, or any other toxic or hazardous contaminants, materials, air pollutants or water pollutants at the site ("Hazardous Substances" or "Hazardous Substances Services"). Accordingly, the Architect shall not provide such services. The Client hereby agrees to bring no claim for negligence, breach of contract, indemnity or other cause of action against the Architect if such a claim in any way arises out of Hazardous Substances or Hazardous Substances Services.
10. The Client agrees to indemnify, defend and hold the Architect harmless from and against any and all claims, suits, demands, losses and expenses, including reasonable attorneys' fees and all legal expenses and fees incurred on appeal and all interest thereon, accruing to or resulting from any and all persons, firms or any other legal entity, on account of any damage or loss to property or persons, including death, arising out of 1) Hazardous Substances or Hazardous Substances Services, except where the Architect is found to be solely liable for such damages or losses by a court or forum of competent jurisdiction; or 2) the performance or non-performance of any obligations under this Agreement except to the extent found by a court or forum of competent jurisdiction to be attributable to the negligent errors or omissions of the Architect.
11. The Client shall provide complete Project information, which the Architect shall be entitled to rely upon. The Client shall designate a representative authorized to act in its behalf to provide decisions, liaison with the Architect, and approvals of drawings, reports, presentations and other documents and data. Client's written decisions, approvals and authorizations, and Architect's services shall be provided promptly in order to meet mutually agreed project schedules. Services on a phase shall commence only after Client's written approval of the previous phase and Client's authorization to proceed. Out-of-sequence services, if requested, shall be compensated as Additional Services.
12. The Architect shall not have control over or charge of, and shall not be responsible for, construction means, methods, techniques, construction schedules, sequences or procedures, fabrication, procurement, shipment, delivery, receipt, inspection or installation, or for safety programs in connection with the Work, or for acts, omissions, or failure to carry out the Work in accordance with the Contract Documents by the Contractor, subcontractors, or any other persons or entities or their agents or employees performing or supplying the Work.
13. The Client hereby agrees that to the fullest extent permitted by law, the Architect's total liability to the Client for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way relating to the Project or this Agreement from any cause or causes including, but not limited to, the Architect's negligence, errors, omissions, breach of contract or breach of warranty shall not exceed the total compensation received by the Architect under this Agreement.

Fee Calculation Form

BERLINER
ARCHITECTS

Date: 09/19/17

Project: Magnolia Gym Improvements

Job #: 12-27.4

	Principal	Project Architect/ Manager	Draft/ Des. 2	Total
Phase I - Pre Design				
Pre Design	0	5	7	12
Subtotal Hours	0	5	7	12
\$/ Hour	\$ 210	155	\$ 100	
Total	\$ -	\$ 775	\$ 700	\$ 1,475
Phase 2 -Construction Document Edits & DSA				
CD's & DSA	2	9	19	30
Subtotal Hours	2	9	19	30
\$/ Hour	\$ 210	155	\$ 90	
Total	\$ 420	\$ 1,395	\$ 1,710	\$ 3,525
Total Hours On Project	2	14	26	42
TOTAL ARCHITECTURAL LABOR COST	\$ 420	\$ 2,170	\$ 2,410	\$ 5,000
Ahbe - Landscape Architects				\$ 1,200.00
Brandow & Johnston - Civil Engineering				\$ 1,000.00
TOTAL CONSULTANTS	\$ -	\$ -	\$ -	\$ 2,200.00
5% CONSULTANT FEE MARKUP				\$ 110.00
TOTAL LABOR COSTS	\$ 420	\$ 2,170	\$ 2,410	\$ 7,310

* MEP fee to be revised after electrical meeting with Client & Rasual

MSA-SA GYM and CAFETERIA SPECS/IMPROVEMENTS

1. A list of the proposed changes to the **exterior** of the MSA SA Gymnasium Project that you would like to make. This has to do with shade and trees, as well as the type of tables we have out there. **Second weekly meeting was held on 9/19 to discuss these issues – see comments in green or items crossed out as not in scope. The scheduled 09/19 electrical meeting did not take place and shall be rescheduled. Rasul and Erdinc during 09/19 weekly meeting expressed that they have reviewed the bid documents and felt that 90% electrical provisions for low voltage were shown and minor additions were needed. The final scope was decided during conference meeting with owner and CM on 09/21 as shown below. The Mechanical, Plumbing, electrical and the IT scope was descope.**

- 1- **Remove the two shade structures (retractable tents). Replace with removable tent to cover the entire lunch areas.**
 - **Remove proposed shade structures from sheet A0.21, CB-C1.11, CB1.12**
 - ~~Select one shade/canopy product within the budget to cover the entire lunch area – NIC owner provided –~~ **CONFIRMED BY OWNER** ~~No new drawings showing owner provided shade structure are required.~~
 - **We are assuming no foundation is required for the new owner provided canopies. Owner to confirm. CONFIRMED BY OWNER**
- 2- **Remove all trees (6) in the cafeteria areas from the plan. Have a uniform flooring in the openings that**
 - **Remove (6) Cafeteria trees from planting sheet L2.11. Need to review with Landscaping consultant on code/zoning implication or if they have to be shown somewhere else in order to meet tree counts in the property.**
 - **Revise Irrigation plan L1.11**
 - **Revise site plan A0.21 (remove trees/ dining area to be covered by concrete paving)**
- 3- **results from the removal of trees.**
 - ~~Replacement trees?? Landscaping consultant to confirm~~ **Landscaping confirmed no additional or replacement trees are required.**
- 4- **30 regular cafeteria tables and 4 ADA cafeteria tables**
 - ~~Remove cafeteria tables and benches scope from A0.21 and specifications. NIC owner provided –~~ **GC TO PROVIDE THE TABLES** ~~NIC Owner Provided – No drawings of new layout required.~~
 - **Provide 30 regular and 4 ADA cafeteria tables instead of 43 cafeteria tables at site plan A0.21** ~~NIC owner provided –~~ **GC TO PROVIDE THE TABLES** ~~NIC Owner Provided – No drawings of new layout required.~~
 - **Provide ADA cafeteria tables and provide enlarged plans showing required clearances**
 - **# OF ADA TABLES NEED TO BE CONFIRMED**
- 5- **Convert the “landscaped turfed area” north of the playground structure to all concrete top**
 - **Landscaping and Civil consultants to confirm code and zoning compliance. Landscape and civil confirmed that these changes do not change the overall design and still meets code compliance.**
 - **Sheet A0.21 remove landscape turf and provide concrete top**
 - **Revise Irrigation Plan L1.11**
 - **Revise planting plan L2.11**
 - **Reference/revise appropriate detail @ 7/L2.51**
- 6- ~~2 drinking fountains (one is ADA) at the north side of the gym.~~
 - ~~One set of drinking fountain (Low) is provided at the south side of the gym. Owner to confirm location.~~ **NORTH SIDE OF THE GYM – the drinking fountain is inside**
 - **Replace drinking fountain location from south side of the gym to north side. Have to revise architectural and plumbing/civil drawings.** ~~the only drinking fountain is inside~~
- 7- ~~PA system – See IT list – to be discussed on Sep 19 in detailed with Rasul, MSA IT manager and Electrical~~
 - ~~Duplicate – see below.~~

2. How to outfit the indoor gym including sport court, number of basketball hoops (6--please confirm).

- 1- **Floor** **OPTION**

- **Multi sport Athletic Surface – Rubber synthetic floor**

See technical specs

<http://robbinsweb.robbinsfloor.com/infocenter/infocenter.nsf/vall/D6A23A7D9A06A764852579CF00551901>

Samples

1. <http://www.robbinsfloor.com/2012/04/pulastic-classic-110/>
2. <http://cdn.sghk.co/connor/e2LsheU/ControlXT1.pdf>
3. <http://www.dynamicsportsconstruction.com/products/dynacourt/>

- Replace from VCT to above rubber floor
- Transition to be considered.
- Provide striping detail
- Redesign appropriate details
- Need to review the transition from rubber flooring to VCT since the rubber flooring is thicker. VCT thickness is 1/8" gauge (3.2mm) and Rubber floor thickness is 5mm / 1/5" minimum. This rubber flooring is available in 5, 6, 8, 10, 12 and 14 mm. Owner should confirm the thickness. Owner to approve thickness.
- PLEASE NOTE THAT THE THICKNESS OF THE FLOOR MATERIAL CHANGES DEPENDING ON THE VENDOR. WE PREFER ANYTHING MORE THAN 12 mm
- THIS IS NOT a CIF size basketball court- the length is short.

2—Hoops

- 2 foldable (up) basketball hoops as in the original plans
 - Specify the selected product @ G-A2.11
- 4 additional wall mount hoops for practice **OPTION**
 - Locate 4 additional hoops attached to east and west CMU walls @ G-A1.11 & G-A2.11. Owner to select product.
 - Preferred Model **NOTE THIS IS ELECTRICAL** <https://www.basketball-goals.com/Electronic-Side-Folding-Wallmount-Basketball-Goal.html>
Needs structural details. See bottom of the page
 - <https://www.basketball-goals.com/Electronic-Side-Folding-Wallmount-Basketball-Goal.html>

3—Volleyball nets

- Posts and net
 - Locate provisions for volleyball posts and nets @ G-A1.11 & G-A2.11.
- Floor should have sleeves and sockets
 - Add detail showing sleeve and sockets—will need structural input.

4—Striping **STRIPING ONLY FOR FULL BASKETBALL COURT AND VOLEYBALL COURT**

- For basketball
 - Owner to confirm if the smaller courts in east west direction needs to be striped.
NO
- Volleyball
 - Show striping for Volleyball at gym floor plan G-A1.61.

5—Protective mats on the walls **OPTION**

- No product has been specified on G-A2.11. Owner to provide direction.
- <http://www.greatmats.com/flooring/gym-wall-pads.php>

6—PA and speaker system—See IT list

- Elect/IT consultant to revise if IT/owner changes requirements. Owner to review the current drawings and confirm.
- to be discussed on Sep 19 in detailed with Rasul, MSA IT manager

7—Electronic score board

- Electrical to revise panel schedule E0.05 if IT/owner changes requirements. Owner to review the current drawings and confirm. Provisions only

8—All HVAC and lamps covered with protector grids

- Add note to Ceiling plan
- Add detail

3. Number of lockers needed in the gym changing rooms (200-250? Please confirm). **KEEP CURRENT PLANS**
- 1—Boys locker room
 - a.—72 lockers—3 tier (9 in each unit assembled)
 - ~~Currently 57 lockers are provided~~
 - ~~There is no space for more in the locker room. Owner to provide direction.~~
 - b.—1 ADA bench **KEEP CURRENT PLANS**
 - ~~Show correct size and product at G-A4.11. Owner to approve location.~~
 - 2—Girls locker room
 - a.—72 lockers—3 tier (9 in each unit assembled)
 - ~~Currently 69 lockers are provided~~
 - ~~There is no space for more in the locker room. Owner to provide direction. KEEP CURRENT PLANS~~
 - b.—1 ADA bench
 - ~~Show correct size per owner provided product information at G-A4.11. Owner to approve location. Any corner or middle is fine~~

4. Equipment needed in the server (commercial fridge, retherm ovens, milk cooler—please confirm)

- ~~1 Serving table~~ **OPTION**
 - ~~NIC—Currently (3) 3'-6" Stainless steel cabinets and countertop as serving table shown in the drawings as a place holder. Stainless steel cabinets are not scheduled in project manual. Owners to advise if their intention is to provide a serving table instead of the cabinets in servery room. Owner to advise how to incorporate in contract documents. Based on meeting on 09/19 provide electrical and plumbing provisions for owner provided equipment.~~
- ~~1 Shelving~~ **OPTION**
 - ~~NIC Owner to advise how to incorporate in contract documents.~~
- ~~1 Warmer~~ **OPTION**
 - ~~NIC Owner to advise how to incorporate in contract documents.~~
- ~~1 Refrigerator~~ **OPTION**
 - ~~NIC Owner to advise how to incorporate in contract documents.~~
- ~~1 Freezer~~ **OPTION**
 - ~~NIC Owner to advise how to incorporate in contract documents.~~

See the list at <https://docs.google.com/spreadsheets/d/13gdYcIK3rE-w5GltUa5oa8MlspSYtdwjuHCHK6ZCi2I/edit#gid=0>

5. Any other questions or issues that you may have.

- ~~Lockers for PE teachers~~ **OPTION**
 - ~~Select location for teacher's lockers. Owner to provide direction.~~
 -
- ~~IDF for IT room~~
 - ~~Owner / Rasul to provide direction. to be discussed on Sep 19 in detailed with Rasul, MSA IT manager. Based on meeting on 09/19 provide electrical outlets in the IDF room and shall be discussed with electrical consultant.~~

6. Need to have **Rasul** provide his IT information asap. Also need cost estimates.

- ~~Security cameras~~
 - ~~Owner Furnished Equipment (OFE) per section 274100 part 2.02 B. Owner / Rasul to review current documents and advise. We should have a coordination meeting with electrical consultant.~~

- **Cabling**
 - ~~Contractor to comment on pricing.~~ Owner / Rasul to review current documents and advise. We should have a coordination meeting with electrical consultant.
- **Wireless Access Points**
 - ~~Owner Furnished Equipment (OFE).~~ Owner / Rasul to review current documents and advise. We should have a coordination meeting with electrical consultant.
- **PA system**
 - ~~Section 275117 to be completed for Public Address Systems.~~ Owner / Rasul to review current documents and advise. We should have a coordination meeting with electrical consultant.
- **Projector with retractable or movable screen **OMIT****
 - ~~Owner Furnished Equipment (OFE)~~
 - ~~Extron Electronics is specified for classrooms but no projection has been specified for public events. Revise section 274100- Audio/ Visual Systems section.~~
 - ~~Retractable screen, video source equipment and video projector shall be furnished by owner (OFE).~~
 - ~~Indicate location of the projector and retractable screen on floorplans and elevations~~
 - ~~Owner / Rasul to review current documents and advise. We should have a coordination meeting with electrical consultant.~~
- **Sound system for the public events**
 - ~~Elec to supply power to the sound system.~~ Owner / Rasul to review current documents and advise. We should have a coordination meeting with electrical consultant.
 - ~~Owner Furnished Equipment (OFE)~~
 - ~~Comply/ Revise with section 260010~~
- **HP Switches**
 - ~~IT and Elec. consultant to advise.~~ Owner / Rasul to review current documents and advise. We should have a coordination meeting with electrical consultant.

See the list at <https://docs.google.com/spreadsheets/d/13gdYcIK3rE-w5GltUa5oa8MIspSYtdwjuHCHK6ZCi2I/edit#gid=1290437238>

7. Need to get FFE package including estimates

Check estimates here

<https://docs.google.com/spreadsheets/d/13gdYcIK3rE-w5GltUa5oa8MIspSYtdwjuHCHK6ZCi2I/edit#gid=0>

AHBE

LANDSCAPE ARCHITECTS

NOTICE OF ADDITIONAL SERVICES #2

DATE	SEPTEMBER 11, 2017	FROM	WENDY CHAN
CLIENT	BERLINER ARCHITECTS	CC	EVAN MATHER, SUSAN MILLER
PROJECT	MAGNOLIA PACIFIC TECHNOLOGY SCHOOL		
PROJECT #	112047.00		
REQUESTED BY	PRITHWISH GUPTA		

Based on the information provided to us, we reviewed the additional work required to revise the landscape construction documents. The requested changes require more time than can be absorbed by the present contract. The following is a description of the requested revisions and a fee proposal for our completion of the work.

Description of Additional Services

Magnolia Science Academy Gym – Client directed revisions

1. Remove (6) trees in the cafeteria area. Revisions to the Irrigation Plan L1.11 and Planting Plan L2.11.
2. Convert the landscaped turf area north of the playground structure to concrete. Revision to the Irrigation Plan L1.11, Planting Plan L2.11, and detail 7/L2.51.

Cost for Additional Services: \$1,200

Client Approval of Additional Service

Services described herein will be provided upon receipt of Client's written authorization. Sign below to confirm your approval of the above Additional Services description and fees. Return the signed document to us. Retain a copy for your records.

CLIENT
Berliner Architects

LANDSCAPE ARCHITECT
AHBE Landscape Architects

PRINTED NAME

PRINTED NAME

SIGNATURE

SIGNATURE

TITLE

TITLE

DATE SIGNED

DATE SIGNED

Magnolia Pacific Technology School Santa Ana, California

Proposed Value Engineering Estimate

September 27, 2017

5960 Cornerstone Court West, Suite 100
San Diego, CA 92121
main 858.875.0010



Magnolia Pacific Technology School
Santa Ana, CA

DRAFT VE Log
September 27, 2017

Value Engineering Summary

		VE 09-27-17			
		Alternate	Rejected	Accepted	Pending
Project VE Total		\$ -	\$ -	\$ -	\$ (300,862)

		VE 09-27-17				
VE #	Description	Alternate	Rejected	Accepted	Pending	Comments

PROJECT - VE + Add and Deduct

SITE						
S - 1	Delete Two Shade Structures, 24'0" x 22'0" each				\$ (164,740)	
S - 2	Remove 43 Movable Tables on Site				\$ (222,989)	
S - 3	Delete Landscaping - Trees, Turf & Irrigation				\$ (24,705)	
S - 4	Replace VCT Floor with Sealed Concrete Floor				\$ (20,956)	
S - 5	Replace VCT Floor with Polished Concrete Floor				\$ 63,779	
S - 6	Convert Landscape Area At Gymnasium/Multipurpose to Hardscape				\$ 22,341	
S - 7	Cost of Synthetic Rubber Floor (Alternate Bid)				\$ 46,407	
STRUCTURAL						
S - 1						
S - 2						
CIVIL						
C - 1					\$ -	
C - 2					\$ -	
MECHANICAL						
M - 1						
M - 2						
ELECTRICAL						
E - 1						
E - 2					\$ -	
Total For Project VE Options			\$ -	\$ -	\$ (300,862)	

Magnolia Pacific Technology School
Santa Ana, CA

DRAFT VE Log

Date: 27-Sep-17

	Description	Quantity	Unit	Unit Cost	Total
1. SITE					
S-1	Delete Two Shade Structures, 24'0" x 22'0" each				
	<u>Deduct</u>				
	Foundations as required for shade structures	(3)	cy	\$500.00	(1,500)
	Shade structures including framing, etc. (2)	(1,056)	sf	\$115.00	(121,440)
	Pavement under shade structures (2)				Remain in place
	Subtotal - Delete Two Shade Structures, 24'0" x 22'0" each				(122,940)
	<u>Mark-Ups</u>				
	GCs, Overhead & Profit, Design and Escalation Contingencies	(122,940)	x	34%	(41,800)
	Total - Delete Two Shade Structures, 24'0" x 22'0" each				(164,740)
S-2	Remove 43 Movable Tables on Site				
	<u>Deduct</u>				
	Remove movable site tables	(43)	ea	\$3,870.00	(166,410)
	Subtotal - Remove 43 Movable Tables on Site				(166,410)
	<u>Mark-Ups</u>				
	GCs, Overhead & Profit, Design and Escalation Contingencies	(166,410)	x	34%	(56,579)
	Total - Remove 43 Movable Tables on Site				(222,989)
S-3	Delete Landscaping - Trees, Turf & Irrigation				
	<u>Deduct</u>				
	Turf and landscaping at Gym/Multipurpose area	(1,710)	sf	\$5.00	(8,550)
	36" Box trees at Gym/Multipurpose area	(6)	ea	\$750.00	(4,500)
	Irrigation at Gym/Multipurpose area	(1,710)	sf	\$3.15	(5,387)
	Subtotal - Delete Landscaping - Trees, Turf & Irrigation				(18,437)
	<u>Mark-Ups</u>				
	GCs, Overhead & Profit, Design and Escalation Contingencies	(18,437)	x	34%	(6,268)
	Total - Delete Landscaping - Trees, Turf & Irrigation				(24,705)
S-4	Replace VCT Floor with Sealed Concrete Floor				
	<u>Deduct</u>				
	VCT floor in Gym/Multipurpose area	(4,533)	sf	\$4.95	(22,438)
	<u>Add</u>				
	Sealed concrete in Gym/Multipurpose area	4,533	sf	\$1.50	\$6,800
	Subtotal - Replace VCT Floor with Sealed Concrete Floor				(15,639)
	<u>Mark-Ups</u>				
	GCs, Overhead & Profit, Design and Escalation Contingencies	(15,639)	x	34%	(5,317)
	Total - Replace VCT Floor with Sealed Concrete Floor				(20,956)

Magnolia Pacific Technology School
Santa Ana, CA

DRAFT VE Log

Date: 27-Sep-17

	Description	Quantity	Unit	Unit Cost	Total
S-5	Replace VCT Floor with Polished Concrete Floor				
	<u>Deduct</u>				
	VCT floor in Gym/Multipurpose area	(4,533)	sf	\$4.95	(22,438)
	<u>Add</u>				
	Polished concrete in Gym/Multipurpose area	4,533	sf	\$10.50	\$47,597
	Subtotal - Replace VCT Floor with Polished Concrete Floor				47,597
	<u>Mark-Ups</u>				
	GCs, Overhead & Profit, Design and Escalation Contingencies	47,597	x	34%	16,183
	Total - Replace VCT Floor with Polished Concrete Floor				63,779
S-6	Convert Landscape Area At Gymnasium/Multipurpose to Hardscape				
	<u>Deduct</u>				
	Turf and landscaping at Gym/Multipurpose area	(1,710)	sf	\$5.00	(8,550)
	Irrigation at Gym/Multipurpose area	(1,710)	sf	\$3.15	(5,387)
	<u>Add</u>				
	Concrete pavement at landscape area at Gymnasium/Multipurpose area	1,710	sf	\$9.75	\$16,673
	Subtotal - Convert Landscape Area At Gymnasium/Multipurpose to Hardscape				16,673
	<u>Mark-Ups</u>				
	GCs, Overhead & Profit, Design and Escalation Contingencies	16,673	x	34%	5,669
	Total - Convert Landscape Area At Gymnasium/Multipurpose to Hardscape				22,341
S-7	Cost of Synthetic Rubber Floor (Alternate Bid)				
	<u>Deduct</u>				
	VCT floor in Gym/Multipurpose area	(4,533)	sf	\$4.95	(22,438)
	<u>Add</u>				
	Synthetic rubber floor at Gymnasium/Multipurpose are	4,533	sf	\$12.59	\$57,070
	Subtotal - Cost of Synthetic Rubber Floor (Alternate Bid)				34,632
	<u>Mark-Ups</u>				
	GCs, Overhead & Profit, Design and Escalation Contingencies	34,632	x	34%	11,775
	Total - Cost of Synthetic Rubber Floor (Alternate Bid)				46,407

Cover Sheet

Recommended Approval of MSA-1 Zone Variance RFP Winning Bid Announcement

Section: II. Approval Recommendation Items
Item: C. Recommended Approval of MSA-1 Zone Variance RFP Winning
Bid Announcement
Purpose: Vote
Submitted by:
Related Material: II C MSA 1 Zone Variance Bid.pdf



Board Agenda Item #	Agenda #II. C
Date:	October 5 th 2017
To:	Magnolia Board of Directors Facilities Committee
From:	Caprice Young, Ed.D., CEO & Superintendent
Staff Lead:	Suat Acar, COO Mustafa Sahin, Principal
RE:	MSA 1 Zone Variance RFP Bid

Proposed Board Recommendation

I move that the MPS Facilities Committee recommends approval of the MSA-1 Zone Variance winning RFP bid to the vendor Rabuild Commercial LLC.

The evaluation committee consisting of Mr. Tim Buresh from Primesource Project Management, Mr. Suat Acar, Chief Operations Officer of MPS and Mr. Mustafa Sahin, Principal of MSA-1 will meet on September 29th 2017 to decide on the best bid for the project. The evaluation committee will inform the Finance Committee of the winning bid the day of the committee meeting.

Background

Please see attachment named “Zoning issues at MSA-1 Reseda”. This document is prepared by the Construction Management (CM) Company of MSA 1 Construction Project: Primesource Project Management.

Budget Implications

Funding Source: 2017 Bond
Amount: TBD (over \$25,000,
requires board approval)

How Does This Action Relate/Affect/Benefit All MSAs?

Upon completion of the MSA 1 Construction Project, the school will increase the number of enrolled students to 912 in 5 years. This will help strengthen MPS’s financial power.

Name of Staff Originator:

Suat Acar, COO
Mustafa Sahin, principal.



Board Informative: Zoning Issues at MSA-1 Reseda Campus

Date: September 26, 2017

The MSA-1 campus has operated under a series of Zoning Variances issued by the City of Los Angeles. Zoning variances are legally binding documents that govern the use of the property as a school. MSA-1 is required to comply with the terms of a zoning variance or is subject to enforcement actions by the City, which can range up to ordering that the property not be used as a school. The main cause of a zoning variance for this site is the use of a portion of the parking lot as a food service area for the students. Zoning variances are temporary, not permanent solutions.

The most recent zoning variance, ZA 2014-0995(ZV) controls the use of the property including the recently acquired parcel planned for the high school. The zoning variance imposed a long list of operational restrictions and requirements such as requiring signage and locating the food service area away from residential neighbors. MSA-1 has substantially complied with these operational requirements.

However, the zoning variance also imposed several physical development requirements that have not been fulfilled:

- A requirement to re-stripe the parking lot to provide 91 parking slots to serve the school after the school created the food service area.
- A requirement to submit and obtain City approval of a traffic plan for the alley and parking lot and then make improvements defined by that plan.
- A requirement to "repair" the drainage issue at the rear of the site.
- A requirement to submit plans and get City approval to landscape the rear 16 foot wide strip of the property that serves as a drainage swale, and then to landscape and maintain that landscaping.

This has now become an urgent issue because the City of Los Angeles will not approve building permits for the new high school building until these outstanding issues are addressed. It may not be practical or even possible to comply. For example, the current zoning variance did not anticipate the parcel purchase and development of the new high school building and conversion of the existing building to a middle school. Development of the high school has actually reduced parking from 91 slots to less than 50 slots; it would be a waste to build more parking than is



necessary for the school. For example, the zoning variance anticipated that there was a drain line that could be restored to fix the drainage problem; no such line exists. Addressing drainage will require an engineered solution that requires City approval.

The current building design also did not address these issues. For example, the site plan has addressed parking for the high school alone and ignored the balance of the site or the impact of the high school on the existing building: by removing the existing gymnasium and converting the existing classroom building to a middle school, parking demand is reduced from 91 to approximately 20 parking slots. The current design has also ignored the landscaping issue and site drainage issue.

It is unlikely that final building permit approvals can be obtained without first securing another zoning variance that addresses both the current buildout of the site and future development such as a multipurpose building. Obtaining zoning variances requires special expertise. Staff has issued an RFP for zoning consulting services. Responses are due this week (9/29/17) and the contract will be awarded as quickly as possible. Although the zoning variances sought are actually relatively minor, the administrative process of the City of Los Angeles is notoriously slow. Any undue delay in resolving these issues risks the completion of the new building by Fall 2018.

It also makes no sense to proceed with a zoning variance that does not consider a future third building on campus. This building may not be built for some time, but zoning should be cleared for its future development now and so that the rest of the site can be designed now to accommodate that building and avoid tearing out and redoing development at a future date. Also, the only way to remove the primary cause of a perpetual zoning variance is to move food service indoors. Staff will meet with the Board for discussion and direction on a possible third building in the near future. If directed by the Board, staff will pursue a Conditional Use Permit to formally allow the development of the third building without further zoning issues.

In the meantime, staff will use the current architect to develop a comprehensive site plan that can be used to support the new variance process, revise the parking lot to accommodate entire campus parking needs, and to develop landscape and drainage plans for the entire site. This will require a change order to the current architect's contract.

Staff will also approach City Planning staff to attempt to find an interim solution that will allow the high school building to proceed.



**PRIME SOURCE
PROJECT MANAGEMENT**
Project Leadership | Project Success

Board Informative: Zoning Consultant Selection

Board Informative: Zoning Consultant Selection and Recommendation

Date: October 2, 2017

Action Requested: Board approval to retain zoning consultant

Background: The MSA-1 site has multiple zoning related issues to resolve. {Reference Board Informative: Zoning Issues at MSA-1, dated 9/26/17}
A consultant specializing in zoning is required to resolve these issues.

Staff issued a Request for Proposals dated 9/14/2017 with a due date of 9/19/17. Staff called three zoning consulting firms to solicit their participation. Two requested additional time. The due date was then extended to 9/29/17. Three firms submitted proposals. Those proposals were evaluated according to the attached rubric. Staff ranked the proposals as follows:

1. Rabuild Commercial Services LLC
2. Figueroa Media Group (FMG)
3. Land Developers Corp.

There were several critical factors in differentiating the proposers.

- Land Developers did not send in a compliant proposal. Instead, they updated a previously submitted letter of agreement. Besides missing relevant information, like references and background, this non-compliant response raises concern over their ability to pay attention to detail and take direction.
- The nature of the firms differs. Rabuild is focused narrowly on zoning and land use entitlement practice, has done so for more than 15 years, proposed a Project Manager who has done over 100 zoning projects, has completed three other similar projects in Reseda, and offered references for owners who required similar services.
- FMG is more broadly focused stressing community outreach and the resolution of political issues in addition to zoning and land use entitlement, proposed a Senior Manager who is more political than technical, proposed a Project Manager whose background is in



- aviation and is based in San Diego County, and offered references for an economic study related to a CRA redevelopment.
- MSA-1 requires two different phases of service – resolving the immediate zoning questions sufficient to allow an immediate building permit for the high school building and associated site development, and then obtaining necessary clearances for the third building on campus if and when the Board elects to proceed. Only Rabuild recognized sufficiently the two-step approach.
 - There are significant cost differences. Rabuild’s Time and Material estimate of cost is \$50,000. FMG’s lump sum cost is \$27,000. However, Rabuild’s costs estimate was a worst case scenario, with the greatest effort and time involved and the cost estimate included the cost of resolving the initial and immediate zoning problems. Rabuild’s cost estimate assumed that they would prepare a greater share of the required documentation than FMG. Rabuild proposed a Time and Material fee structure; the other proposers proposed fix fee services with onerous termination fees. Given the early stage of planning related to the third building, which may or may not be built, it is unwise to be locked into a fixed fee based on a full scope of service.
 - Rabuild requires a retainer of \$3,500. FMG requires a retainer of 5,000.
 - The proposed agreements by both Rabuild and FMG are acceptable.

Action requested: Staff recommends that a contract to Rabuild Commercial LLC be authorized on a Time and Material basis with an initial Not to Exceed amount of \$25,000. If and when the Board elects to proceed with entitlement for a third building on campus, this amount will be increased accordingly.

Attachments:

- Evaluation Rubric
- RFP
- Time Extension
- Proposed Rabuild letter agreement



Request for Proposals – Zoning Variance Consulting Services - Evaluation Rubric

Minimum Evaluation Criteria			
Proposer Name	Rebuild Commercial Services	Figueroa Media Group (FMG)	Land Use Developers Corp.
Proposal on time?	Yes - 9/28	Yes - 9/29	Yes-9/26
Proposal responsive?			
1. Cover Letter	Yes	Yes	
2. General Information	Yes	Yes	Yes
3. Zoning experience	Yes	Yes	No
4. References	Yes	Yes	No
5. Project approach	Yes	Yes	No
6. Resumes	Yes	Yes	No
7. Insurance	Yes	Yes	No
8. Budget	Yes	Yes	Yes
9. Proposed contract	Yes	Yes	Yes
Responsive?	Yes	Yes	No

Evaluation			
1. Cover Letter	OK	OK	
2. General Information	OK	OK	0
3. Zoning experience	Firm specialises in zoning related issues and land use - multiple projects completed in Reseda	Firm specialty primarily in community outreach, regulatory approvals of all sorts, in addition to zoning and land use permits.	NIC
4. References	Received 3 references, all developers seeking permits	Received 3 references, all related to economic development study work, not development approval - work was doen for CRS so somewhat dated	NIC
5. Project approach	Approach is worst case - if project requires Variance, Conditional Use Change, Genral Plan Ammedment zone Change (not required), MND/CEQA	Firm read the current zoning documents and has a plan to reconcile.	None



Request for Proposals – Zoning Variance Consulting Services - Evaluation Rubric

6. Resumes	Veronica Becerra - Principal will do most of the work, more than 100 zoning variances in City LA, +15 years doing this	Nathan Freeman - Project Manager - former Nate Holden Council deputy, more of a City of LA generalist than a zoning specialist.	None
7.a Insurance - General	OK	OK	NIC
7.b Insurance - Auto	OL	NIC	NIC
8.a Budget - proposed fee structure, reimbursable expense estimate, rate schedule	Fee based on worst case scenarior T&M - \$25,000 research and prep for third building and to resolve current zoning issues; \$25-30,000 filing applications; \$3,500 retainer; no minimum cost	Lump Sum - \$27,000, paid in full even if terminated early; expenses included (NIC City fees) - all for third building; NIC fees to resolve current zoning issues	Lump sum fee \$18,000, \$6,000 non-refundable fee plus \$2,000 deposit - plus permit expediting at \$175/hour - all for third building; NIC fee to resolve current zoning variance issues
	Expenses - reimbursable list included	Expenses included	Resimbursables called out but not specified
	Rates OK - Principal Becerra \$220; Planning Asst - \$165; Support - \$65-90/hour	Rates OK - Princiapl Charlston \$150; PM Freeman \$125/hr; Support \$90-125	Rates seem very high - Senior staff \$350-385/hr; expediter fees \$175/hr also higher
9. Proposed contract	Straightforward simple consulting agreement	Complicated contract; termination adverse to MSA; all materials prepared by MSA archit et or others	Contract very thorough, but inappropriately favors consultant numerous areas.

Proposal ranking	1st	2nd
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**REQUEST FOR PROPOSALS
ZONING VARIANCE CONSULTING
SERVICES**

**MAGNOLIA SCIENCE ACADEMY 1
RESEDA CAMPUS**

**18238 Sherman Way
Reseda, CA 91335**

Posted

Date Posted: 9/14/2017

Submit Responses To:

Timothy Buresh

tim.buresh@primesourcepm.com

RFP Due Date:

**9/25/2017 No Later
Than 5:00 P.M.**



Request for Proposals – Zoning Variance Consulting Services
September 14, 2017 - Page 2

SCOPE OF WORK

Magnolia Science Academy 1 (“Charter”) is requesting Proposals for Zoning Variance Consulting Services for work associated with Charter campus in Reseda.

The Magnolia Science Academy 1 campus is located on multiple parcels in the City of Reseda that were obtained at different times from multiple owners. Reference attached ALTA survey file. The campus site has recently been expanded by the addition of a new parcel which is being redeveloped to construct a new campus building. A third building is anticipated. Although Magnolia Science Academy is a California public school, this campus is not being built under the California Field Act, and is therefore subject to City of Los Angeles zoning and building code requirements.

The Charter middle school is currently housed in a formerly commercial structure on a parcel (APN 2125-036-095 and APN 2125-036-100) that contains a building and surface parking area. A zoning variance was obtained for this parcel (ZA 2014-0995(ZV) - attached) that allowed Campus food service to be provided under temporary structures on a portion of the parking lot, plus required provision of a certain number of parking slots and correction of a longstanding drainage issue.

Charter recently acquired an adjacent parcel (APN 2125-036-021 and APN 2125-036-105) that includes a commercial structure and parking lot. The existing building will be demolished and a new high school classroom building will be constructed on the parcel. The new high school building is currently in plan check by LADBS (Plan check #B17LA10287). The parking area requires reconstruction and addressing a long standing drainage issue. Future development plans include construction of a third school building in the existing parking lot that will replace the current outdoor food service area, and conversion of paved areas to landscape and recreation space for use by Charter students.

The Charter requires professional services to alter current temporary and permanent zoning provisions to reflect the anticipated buildout of the campus, and to obtain approval for the construction of the third building on campus.

PROPOSAL SUBMISSION REQUIREMENTS

A) GENERAL INSTRUCTIONS

The purpose of this Request for Proposals ("RFP") is to obtain information that will enable Charter to select a consultant to provide services needed to change existing zoning restrictions and requirements. The Charter is requesting proposals from qualified firms to provide these services.



Request for Proposals – Zoning Variance Consulting Services
September 14, 2017 - Page 3

Proposals must be submitted electronically in PDF format to **Timothy Buresh, Project Manager** at tim.buresh@primesourcepm.com no later than 5:00 p.m. on September 25, 2017. Late proposals will not be considered. Each proposal shall be treated as confidential until this deadline, after which time each proposal shall become a matter of public record.

All proposals are to be submitted in compliance with the format set forth below. Proposals must be typewritten, concise, straightforward, and must address each requirement and question. Brevity is encouraged and unnecessary or duplicative information should be avoided.

Clarifications or questions regarding submittals must be submitted via email to Timothy Buresh at tim.buresh@primesourcepm.com. Please include the name of your firm and telephone number when making inquiries.

All proposals will become the property of the Charter. Information in Proposals will become public property and subject to disclosure laws. The Charter reserves the right to make use of any information or ideas in the proposals. All proposals will be maintained as confidential working papers until officially placed on the School Board meeting agenda.

The Charter reserves the right to reject any and all proposals and to waive any informality in any proposal received. No obligation, either expressed or implied, exists on the part of the Charter to make an award or to pay any costs incurred in the preparations or submission of a proposal. All costs associated with the preparation or submission of proposals for this RFP is solely the responsibility of the candidates.

B) Evaluation of Proposals and Recommendation

All RFP responses will be read and evaluated by a committee selected by the Charter CEO. The Charter will select a firm that has the highest suitability for the work with Charter and the overall most desirable approach. The Charter reserves the right to negotiate modifications with any firm as may be required to serve the best interests of the Charter and to negotiate the final contracts with the most qualified candidates. Staff will make a recommendation to the Charter Board of Directors to award a contract to the selected Vendor. The Charter Board of Directors will vote to award the contract at its ad hoc committee or regularly scheduled meeting.

C) FORMAT REQUIREMENTS:

All proposals shall include the following information:

1. Cover Letter

- a. Name of Firm



Request for Proposals – Zoning Variance Consulting Services
September 14, 2017 - Page 4

- b. Project Title – Proposal for Zoning Variance Consulting Services, Magnolia Science Academy 1
- c. Date Submitted
- d. A brief cover letter

2. General Information

- a. Name, address, telephone, and e-mail address of firm, name and email for contact persons.
 - b. Provide a short resume of your firm’s history and areas of expertise.
3. **Zoning variance experience** - Describe in detail your experience in obtaining modifications to zoning variance requirements and project development approvals within the City of Los Angeles.
4. **References** - Provide at least three (3) references, including names, addresses, telephone and email addresses of persons with respect to zoning variance projects which your firm or its senior personnel has worked on within the last five years. Please be advised that references may be contacted.
5. **Project Approach** - Briefly describe a work plan and how your firm would plan to work with the Charter and their other consultants, representatives and/or agents in order to obtain the needed zoning variance changes and project approval of the new third building. Include a timeline of activities.
6. **Resumes** – Include short resume of key personnel to be assigned to this project. Includes specific examples of similar work. Describe their specific role and responsibility.
7. **Insurance Coverage** - Each submittal must include a copy of the respondent’s Certificate of Insurance. This may be marked confidential and included with the “original” (wet signature) proposal. The firm or organization shall be required to carry the following insurance:
- a. Comprehensive General Liability and Property Liability Insurance, with a minimum limit two million dollars (\$2,000,000), with the Charter named as Additional Insured;
 - b. Comprehensive Automobile Liability Insurance, including owned, non-owned, and hired vehicles with minimum limit of one million dollars (\$1,000,000);
 - c. Workers’ Compensation and Employer Liability, statutory limit;



Request for Proposals – Zoning Variance Consulting Services
September 14, 2017 - Page 5

8. **Budget and Cost of Services** - Provide a proposed fee structure for all proposed services for the project. Provide an estimate and breakdown of reimbursable expenses. Also, include an hourly rate schedule for personnel to be assigned to the project. Clarify what costs considered reimbursable and what costs are included in hourly fees.

9. **Proposed Contract for Consulting Services** – Include a proposed contract for these services.

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
CITY PLANNING**

MICHAEL J. LOGRANDE
DIRECTOR

**OFFICE OF
ZONING ADMINISTRATION**

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012

(213) 978-1318

FAX: (213) 978-1334

www.planning.lacity.org

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
LOURDES GREEN
THEODORE L. IRVING
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

July 6, 2015

Dr. Mehmet Argin (A)(O)
Magnolia Science Academy
13950 Milton Avenue, Suite 200 B
Westminster, CA 92683

Robert B Lamishaw (R)
JPL Zoning Services
6257 Van Nuys Boulevard
Van Nuys, CA 91401

CASE NO. ZA 2014-0995(ZV)
ZONE VARIANCE
18238 West Sherman Way
Reseda-West Van Nuys Planning Area
Zone : [Q]C2-1L-CDO, [Q]P-1L-CDO
D. M. : 183B125
C. D. : 3
CEQA : ENV 2005-3788-MND-REC2
Legal Description: Lots 1 and 2 Arb 2,
Lot 5 Arb 2, Tract 17598 and Lots 1 and
10, Tract 21799

Pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, I hereby APPROVE:

a variance from Section 12.12.1-A of the Code to permit the continued use and maintenance of a portion of a [Q]P1-1L-CDO zoned parking area to be used for student lunch, recreation and drop-off/pick-up area incidental to a LAUSD Charter School,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. No parking variance has been requested nor granted for a reduction in the required number of parking (91 spaces) established for the school use and associated gym facility.
8. Use of this school area in the P Zone is prohibited during Saturday or Sunday by the applicant or by any other party. The area shall be fenced and locked when not in use.
9. The enclosed lunch area shall be located closer to the alley than to the abutting residential uses.
10. Morning drop-off activities shall be generally limited to the hours between 7 a.m. and 8:15 a.m. During this period, children may have breakfast in the designated eating area and passive activities shall be encouraged. Lunch, social and playing activities within the parking area shall be generally conducted between 11:30 a.m. and 1:30 p.m. Pick-up activities shall extend from generally 2:15 p.m. to 5 p.m.
11. At all times that children are present in the parking lot area, in addition to school staff, there shall be a security guard present to escort children to the school and back and to insure their safety when crossing the alley.
12. Parking signs shall be posted along the perimeter of the school-required parking area noting that parking is reserved for the school and that there are school children in this area.
13. The applicant shall post signs within the lunch area reminding students and parents to be respectful of noise impacts on neighbor's peace and quiet.
14. Signage shall be conspicuously posted in the student drop-off and pick-up area outdoor notifying students, parents and guardians to be mindful of the peace and

quiet of the adjacent residential neighborhood, with a message to the following effect:

QUIET ZONE

At all times please respect our surrounding neighbors! Refrain from any loud conversation or shouting, playing any loud music, using car horns or any other disruptive behavior.

Vehicles must exit this area immediately in an orderly and quiet manner upon drop-off or pick-up of students.

15. No outdoor public address system shall be installed or maintained on the subject property. No paging system shall be installed which is audible outside the building in which it is located. No amplified music or loud non-amplified music is permitted outside.
16. All student outdoor activities shall take place within the approved fence area.
17. The subject property, including any associated parking facilities, shall be maintained in an attractive condition and shall be kept free of trash and debris.
18. Open areas devoted to trash storage or other storage shall not be located adjacent to a residential use or shall be buffered and/or enclosed by a solid masonry wall so as not to result in noise, odor or debris impacts on any adjacent residential uses.

The School operator shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.

19. The life of this grant shall be 10 years from the approval date, or earlier if the school relocates to another site before such date. At such time, the fencing shall be removed and the parking lot restored to its original use.
20. If at any time should documented evidence be submitted showing continued violation(s) of any Condition(s) of this grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the applicant/owner to file immediately for a plan approval application together with the associated fees to hold a public hearing to review compliance with and the efficacy of the Conditions of the grant. The applicant shall prepare a radius map and cause a notification to be mailed to: all owners and occupants of properties within a 500-foot radius of the property; the applicable Council District Office and corresponding representative Neighborhood Council(s); and the corresponding Division of the Los Angeles Police Department. The applicant shall also submit a summary and supporting documentation of how compliance with each Condition of the grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete Conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

21. The school administration shall participate in holding semi-annual meetings, possibly coordinated or facilitated by the local Neighborhood Council, to discuss any major issues of concern to the surrounding neighborhood related to the school's use of the parking lot.
 - a. The school administration shall either provide a minimum 10-day advance written notification of such meetings to residents within 100 feet of the property, or provide an annual calendar of scheduled meeting dates, time and location to the same residents.
 - b. The school administration shall investigate and respond promptly to any complaints, and maintain an annual summary report of the meetings along with a log of any calls and responses in the event that the Office of Zoning Administration, the Department of Building and Safety or other law enforcement agency requests such annual report or log for review.
22. The school is allowed to hold five special events per calendar year. Special events may take place outside on the parking lot, but events shall not include carnival types of activities with mechanical rides. The school administrator shall provide a minimum 2-week advance written notification of any special events to abutting residents.
23. The school administrator shall set up a complaint hot line phone number to address any site maintenance and operational nuisance issues. The number shall be posted at the school entries, and be provided to the immediate neighbors, and local neighborhood council groups.
24. Loitering on or around the premises under the control of the school is prohibited. School administrators shall contact Los Angeles Police Department of any suspicious activities taking place in the parking lot during school operational hours.
25. The school management shall commence the drainage repair work within a year from the approval date of this grant and complete the repair within two years from the approval date. Council Office may be contacted to facilitate communication and coordination with abutting parking lot owners to address the drainage repair.
26. A landscape plan prepared by licensed landscape professional shall be submitted to the Planning Department prior to any permit issuance showing a 16-foot wide landscape buffer at the most southerly portion of the parking lot abutting to the single family properties. Landscape shall have routine maintenance including any brush clearance.
27. No overnight parking or camping allowed in the parking lot except vehicles owned by the school personnel or affiliated with school events.
28. All conditions enumerated in Environmental Clearance Case No. ENV 2005-3788-MND (listed below) shall be considered conditions of this grant.

a. Safety Hazards

The applicant shall submit a parking and driveway plan that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

b. Utilities (Solid Waste)

Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

30. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD – EFFECTIVE DATE

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JULY 21, 2015, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>.** Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the statements made at the public hearing on June 12, 2015, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a

variance as enumerated in Section 562 of the City Charter and Section 12.27-B,1 of the Municipal Code have been established by the following facts:

BACKGROUND

The property, comprised of three lots and bifurcated by an east-west through alley, is a level, rectangular-shaped, interior, 47,297 square-foot parcel of land with a frontage of 113 feet on the south side of Sherman Way. The property has an even width of 113 feet and an even depth (exclusive of the alley right-of-way) of 426 feet. The alley right-of-way separates the [Q]C2-1L-CDO zoned portion of the property to the north from the [Q]P-1L-CDO zoned portion of the property to the south.

The property is developed with a two-story commercial building fronting on Sherman Way used as a school (Magnolia Science Academy) and an adjoining one-story commercial building used as a gymnasium with a large surface parking lot at the rear. Vehicle ingress and egress is via the alley, which accesses Etiwanda Avenue to the west and Lindley Avenue to the east.

The property is located within the Reseda-West Van Nuys Community Plan Area, the Reseda Central Business District Community Design Overlay Zone, the Reseda Central business District Streetscape Plan, the Reseda Village Merchant Business Improvement District, an Airport Hazard Horizontal Surface Area, and is within 10 kilometers of the nearest known fault (Northridge Fault).

The north, east and west adjoining properties are zoned [Q]C2-1L-CDO and [Q]P-1L-CDO and developed with one- and two-story commercial buildings. The adjoining property to the east is developed with the subject school's gymnasium and a vacant commercial building. The western adjoining property is developed with JAM – the Joining All Movement Center. The north abutting properties, across Sherman Way, consist of a shopping center with a CVS and Jon's Grocery Store. The southern adjoining properties are zoned R1-1 and are developed with single-family dwellings.

Sherman Way is a Scenic Major Highway Class II improved to a width of 100 feet with asphalt roadway, landscaped median, concrete curb, gutter, and sidewalk.

Alley, bisecting the property, is an alleyway improved to a width of 20 feet, with asphalt roadway and concrete centerline gutter.

Previous zoning related actions on the site include:

Case No. ZA 2008-0748(ZV) – On September 10, 2008, the Zoning Administrator approved a variance to permit the continued use and maintenance of a portion of a [Q]P1-1L zoned parking area to be used for student lunch, recreation, and drop-off/pick-up incidental to a LAUSD Charter School. The grant expired July 31, 2012.

Case No. ZA 2005-3787(ZV) – On December 1, 2005, the Zoning Administrator approved a variance to allow the continued use and maintenance of a student drop-off and pick-up, lunch and playground area located in the P-1L Zone in conjunction

with an existing charter school located in the [Q]C2 Zone with 15 conditions and a expiration date of January 1, 2008.

Order to Comply Case No. 181746 – On October 13, 2006, the Department of Building and Safety issued an Order to Comply for the following violations of Zoning Administrator Case No. ZA 2005-3787(ZV): failure to provide the required 91 parking spaces for school use and gym facility; failure to provide a security guard at all times when children are present; failure to provide required signs; failure to post required signs within the play area; failure to submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation. Case was closed on August 19, 2009 because the school was now operating under a new zone variance and since the orders were for an expired ZV, order was closed.

Ordinance Nos. 176,557 and 176,558 – Effective on May 2, 2005, establishing the Reseda Central Business District Community Design Overlay District, repealing the Reseda Central Business District Specific Plan, and resulting in zone changes imposing the addition of the "CDO" Zone suffix and "Q" conditions. The "Q" conditions regulate auto-related uses, ground-level residential uses, development of store frontages, parking buildings, and signage and prohibit new auto-related uses, open storage, and shelters for the homeless. The conditions also limit commercial development to a maximum height of 45 feet. (CPC 2002-1263-CDO-ZC-MS)

PUBLIC HEARING

On May 19, 2015, notices for public hearing were mailed to owners/occupants within a 500-foot radius of the site. The public notice was posted at the subject site on May 28, 2015. A public hearing was conducted by Associate Zoning Administrator, Jack Chiang, on June 12, 2015 in the Marvin Braude San Fernando Valley Constituent Services Center.

The applicant and the applicant's representative were able to testify that the project is a request for a variance to allow a student lunch, recreation, and drop-off/pick-up area for Magnolia Charter School in a [Q]P1-1L zoned parking area. The applicant's representative, Mr. Robert Lamishaw, stated that the Charter School was established in 2002 and is a highly rated school in the State. The School itself is a by-right use located in the C2 Zone, but the parking area is in an antiquated P (Parking) Zone which City does not employ in current land use and zoning designations. The School has an enrollment of 520 students from sixth to twelfth grade with operating hours from 7:30 a.m. to 3:00 p.m. Monday to Friday. There is no public paging system or loud outdoor music playing during the activity time, and the school is closed during in the weekends. The requested student lunch and recreation area in the parking lot will be used for two 15-minute breaks, one in the morning and one in the afternoon in addition to one hour lunch at noon. After school pick up is between 3:00 p.m. to 6:00 p.m. The applicant is also requesting a longer term grant as the fund to renew subsequent variances can be best applied to books and educational equipment.

There were three interested parties aside from the applicant who attended the public hearing, all of whom spoke.

David Reames, an abutting property owner.

- Not against the School.
- Concerned with the noise, trash, pollution, fire hazard, security at night, and loud speaker of special events.
- A storm drainage problem in the parking lot which damaged his property and landscape. The problem cause a deep pool of water accumulates across several properties in the parking lot after each rain. The water also remains undrained over a long period of time which becomes mosquito breeding pool and may cause serious health issues.

Billie Jean Krumrey, a local resident.

- Concerned about the parking drainage problem.
- Concerned about the safety of students as the parking lot is not best suitable for recreation and lunch use.

Dr. John Foroutan, a local business person.

- There should be a better location for the school to operate.
- Concerned about the increasing gang activities and students' well-being.
- Concerned about the traffic safety during the drop-off and pick-up.

Frank Gonzales, a Magnolia School administrator.

- Magnolia School is in an urban setting for kids who live in the area. It is the best choice for kids and families that do not have many resources.
- The school has on-site adult supervisors at all time during the operational hours.
- The school will coordinate with the Council Office about the drainage repair and its construction.

Andrew Pennington of Council District No. 3 stated that the Council Office acknowledged neighbors' concerns, and requesting mitigations of noise and trash impacts. Some of the issue may be resolved with dialog between the school and abutting neighbors and the Office encourages communication between the two. The Office has met with the Bureau of Engineering to address the drainage issue. However, the parking lot properties are not City owned properties therefore the School will need to privately repair the drainage line.

After the interested parties made their comments, the applicant's representative Mr. Robert Lamishaw responded that Magnolia School management was well aware of the drainage problem, but the school was only a lessee of the parking lot who did not have the ownership over the property to address the issue. The school will now repair the parking lot drainage system as it recently purchased the parking lot property. The school also has a full time custodian who maintains the school site during the operational hours. There are trashes traveled from other properties, but the School will do its best to clean up its own property. The school only held one special event in a year, and the school management will notify abutting owners in advance.

After the closing of the public comment period, the Zoning Administrator stated that he will amend a complaint hot-line condition for the neighbors to call in the event that nuisance occurs, a Plan Approval condition in case there are sufficient nuisance, a drainage repair condition, a landscape condition, a special event condition, and a trash removal condition. The applicant agreed to all amended conditions.

COMMUNICATION RECEIVED

The Zoning Administrator has received a letter from Mr. David Reames, an abutting resident of the school. The letter reiterates what Mr. Reames said in the public hearing in regards to the concerns of noise, trash, pollution, fire hazard, lack of security at night, loud speaker of special events, and storm drain problems. The letter also provides suggestions to mitigate impacts.

MANDATED FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

1. **The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The applicant has requested a variance from LAMC Section 12.12.1-A to permit the continued use and maintenance of a portion of a [Q]P-1L zoned parking area to be used for student lunch, recreation, and drop off/pick up, incidental to an existing LAUSD Charter School (Magnolia Science Academy). The school has operated at the site since 2003. Zoning regulations restrict certain uses in various zones in order to provide compatibility and protect neighboring uses. These regulations are written on a citywide basis and cannot take into account individual unique characteristics which a specific parcel may have. The unique location of a school within a commercial development that was not designed for such use has limited the student population's access to outdoor recreation and lunch time activities. According to the applicant:

Given the availability of a generous sized parking lot, denial of the request would limit the ability of the school to provide a more optimum environment for students that is otherwise restricted by the split zoning pattern and limited on-site space."

Granting of the variance would allow the school to continue the use while maintaining conditions that minimize impacts to the surrounding community, including the condition to locate the facility closer to the alley than abutting residential uses and the requirement to have a security guard present at the site at all times that children are present in the parking area.

In consideration of all of the above, the code's desire to achieve compatibility between uses and to protect neighboring properties, and the applicant's desire to maintain the continued use of the student lunch, recreation, drop-off/pick-up area in the P Zone can be permitted to continue in a manner that is consistent with the purpose and intent of the zoning regulations. The strict application of the provisions of the Zoning Ordinance would result in practical difficulties and unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

2. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity. The site has converted a commercial building into a charter school. According to the applicant, the requested variance is a result of a building designed for commercial purposes and not for school needs.

Surrounding properties are zoned [Q]C2-1L-CDO, [Q]P-1L-CDO and are developed with various commercial buildings and surface parking. There are single-family and multi-family residential uses to the south abutting the P zoned property. The special circumstance that is applicable to the subject property is that the use has been permitted since 2005. During staff's site visit on June 5, 2015, a condition compliance review revealed substantial compliance with the terms of the 2008 grant. The use of the P Zone for student lunch, recreation, drop-off/pick-up is limited to morning drop off (7 a.m. to 8:15 a.m.), lunch activities (11:30 a.m. to 1:30 p.m.), and pick-up activities (2:15 p.m. to 5 p.m.). The use is not permitted during the weekend. Signage is present to remind students and parents to respect the neighbors. Based on these factors, the request is reasonable as it would allow for the continuation of a use that provides a great utility for the existing LAUSD Charter School.

3. **Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

The proposed variance is to allow the continued operation and use of the outdoor student lunch, recreation, and drop-off/pick-up area in the P Zone is necessary for the preservation and enjoyment of a use that is possessed by other properties throughout the City. The applicant states that the variance is necessary for the following reason as submitted on the application and in the public hearing:

The variance will allow the school to operate with some of the amenities that are afforded and expected in other schools. Magnolia School was established in 2002 and it has been a top quality school. It provides top

quality education to kids resides in lesser affluent communities with few school options. The school is in an urban setting and both the school personnel and students make the best out of what they have.

In considering that Magnolia School has a satisfactory track record of maintaining a lunch area in the subject parking lot for the past ten years from 2005, and the school is a charter school without a facility designed for a school use. This constitutes a continual use in a property with a practical difficulties.

Therefore, for the reasons cited above, the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possess by other property in the same zone and vicinity but which, because of the special circumstances, practical difficulties, and unnecessary hardships, is denied to the property in question.

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The applicant is seeking permission to continue an existing use at the same location. No evidence was submitted for the record that the operation of the use at the property has been detrimental to the public welfare. The granting of the variance with conditions allows the school to provide a space for students to be outside during designated hours and with appropriate supervision. As noted by the applicant, the building was not designed for school purposes. As such, there is no ability to provide open space for the students other than in the adjacent surface parking lot. The variance was conditioned to include a 10-year term, in acknowledgement that the use has operated in a compatible manner. A plan approval condition was added in the event there is evidence of continued violation of conditions, then the Office of Zoning Administration can require the applicant to file a plan approval to evaluate the effectiveness of the conditions. Based on the concerns raised in the public hearing, the Zoning Administrator amended several conditions to address water drainage, landscape, trash, special events and operational complaints in order to mitigate potential impacts. As conditioned, the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone and vicinity.

5. **The granting of the variance will not adversely affect any element of the General Plan.**

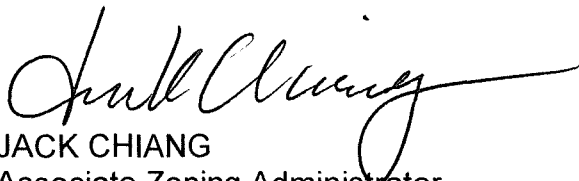
There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of the Los Angeles Municipal Code. Except for the entitlement described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Reseda-West Van Nuys Community Plan map

designates the property for Community Commercial land uses, with corresponding zones of CR, C2, C4, RAS3, RAS4, P, and PB, and Height District No. 1L. The property is located within the Reseda Central Business District Community Design Overlay and the application is not affected.

The Reseda-West Van Nuys Community Plan encourages uses which provide necessary goods, services, and local job opportunities. The granting of the variance to allow the continued use and maintenance of a student lunch, recreation, and drop-off/pick-up area within the [Q]P-1L Zone is consistent with Policy 4-1.1 of the Reseda-West Van Nuys Community Plan, which states "explore creative alternatives for providing new school sites in the city, where appropriate." The school has repurposed underutilized commercial and parking space. In light of the above, the project substantially conforms to the purpose, intent and provisions of the General Plan and the Reseda-West Van Nuys Community Plan.

ADDITIONAL MANDATORY FINDINGS

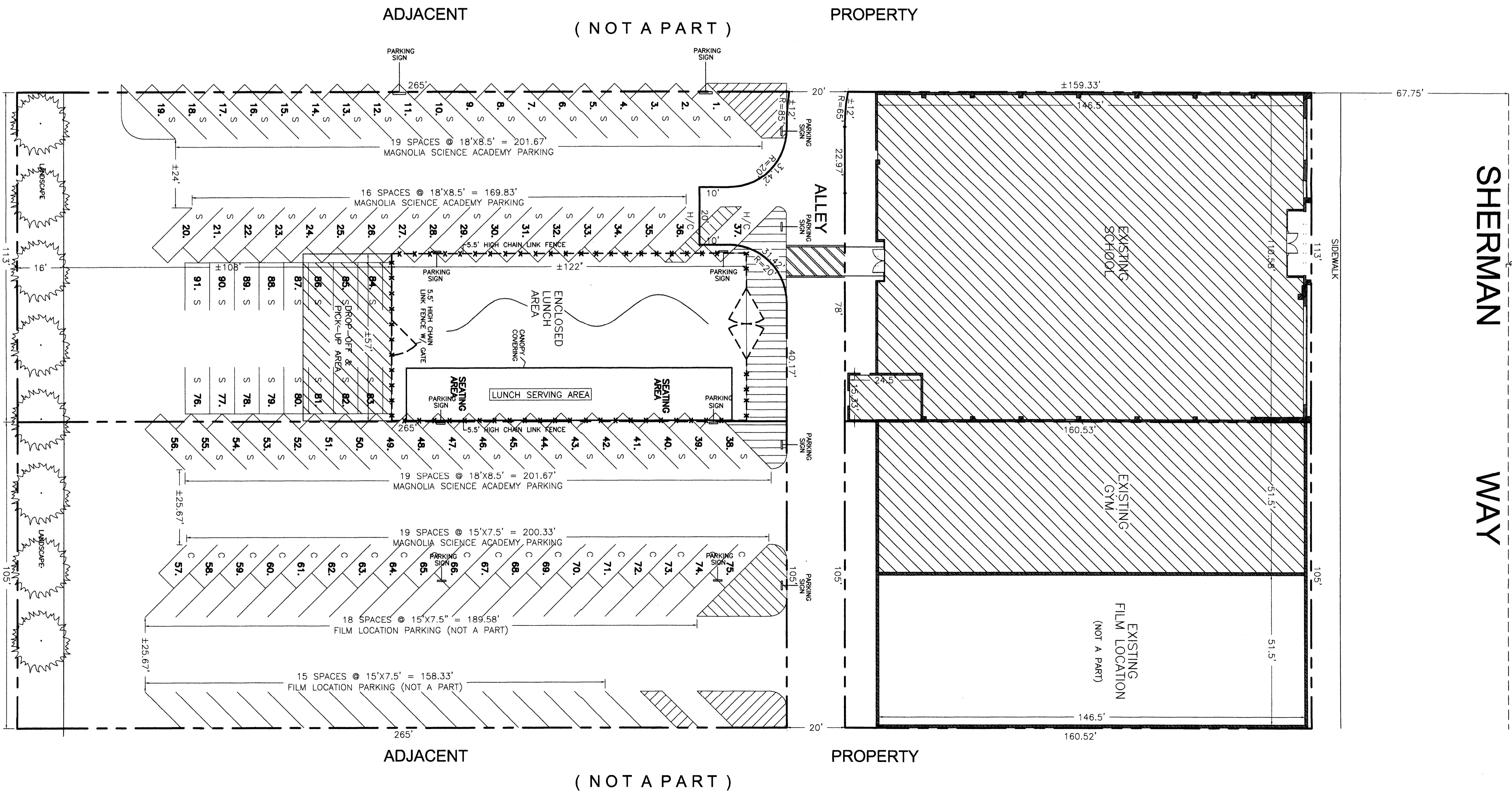
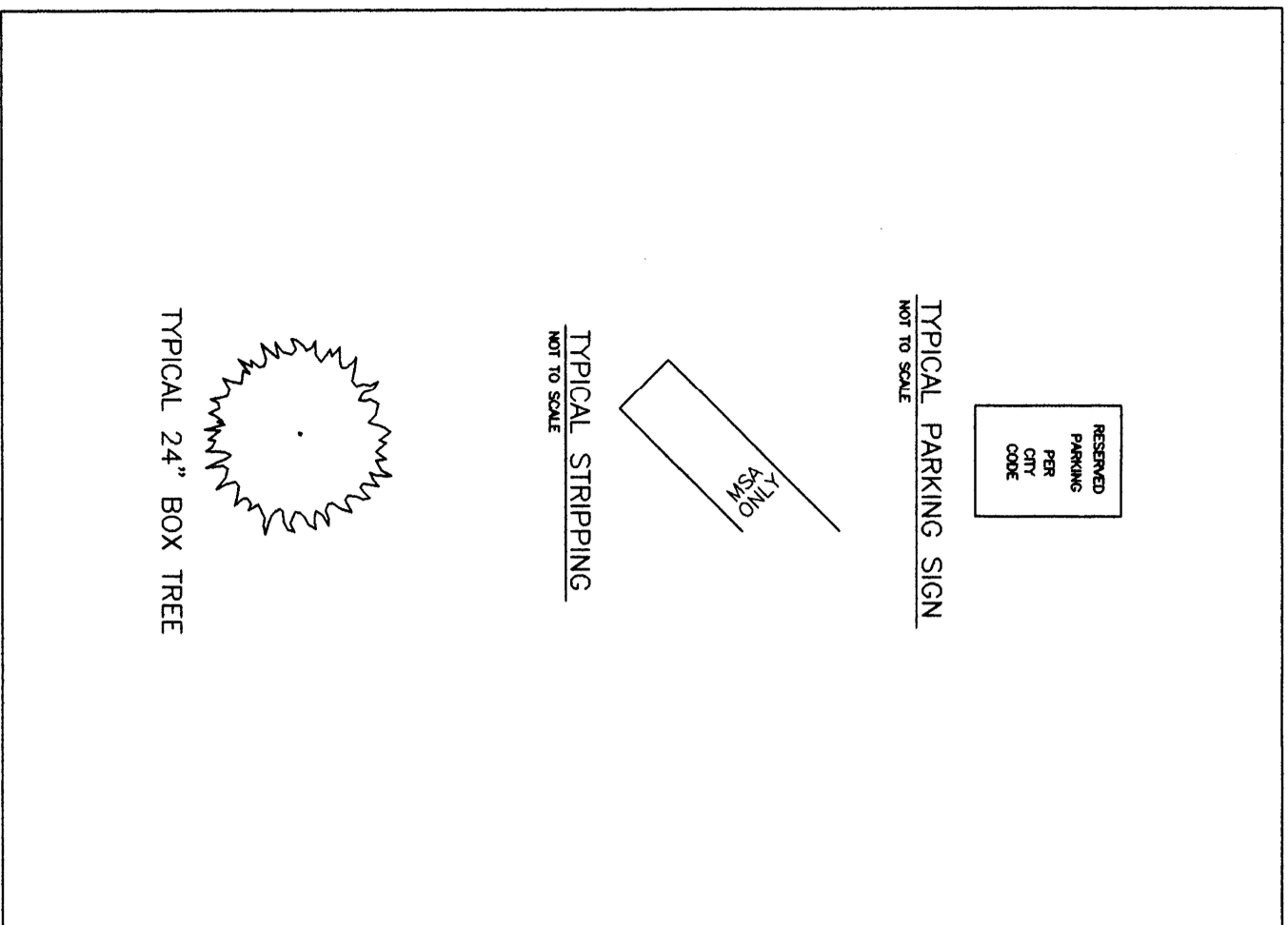
6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
7. On March 2, 2015, a Reconsideration (ENV 2005-3788-MND-REC2) for the previously issued Mitigated Negative Declaration (ENV 2005-3788-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Planning Department in Room 351, 6262 Van Nuys Boulevard.



JACK CHIANG
Associate Zoning Administrator
Direct Telephone No. (213) 978-0195

JC:lmc

cc: Councilmember Bob Blumenfield
Third District
Adjoining Property Owners

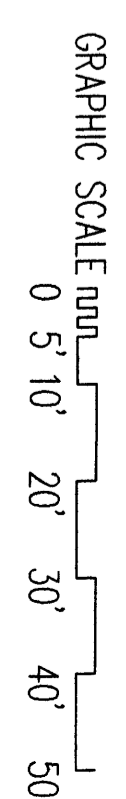


- NOTES**
1. Representative: Robert B. Lantieri, 4751 Wilshire Blvd, Ste 203, Los Angeles, CA 90010, Phone (818) 781-0016, Fax (818) 781-0828, E-mail: lantieri@jpl.com
 2. Applicant: Michael Maluco, 18228 Sherman Way, LLC Etal, P O Box 250490, Rancho Mirage, CA 92270, Phone: (818) 781-0016
 3. Applicant: Michael W. Spvak, Hank Dayton, 4751 Wilshire Blvd, Ste 203, Los Angeles, CA 90010, Phone: (818) 781-0016
 4. Applicant: Magnolia Science Academy, Dr. Mehmet Argh, 18224-18228 Sherman Way, Rancho Mirage, CA 91355, Phone: (818) 781-0016
 5. Legal Description: Lots 1, 5, Apts 2, & For Lot 2, Apts 2, Tract 175988, M.B. 530-5798 & Lots 1, 10, Apts 1 & 2, S.W. 175988, M.B. 817-4214
 6. Zone: [O]C-2-1L-CDO & [Q]P-1L-CDO
 7. Parking Required: Standard Spacing: 18'x8.5' = 23,900 s.f. (1850sq.ft. = 47.8)
 8. Parking Provided: Standard Spacing = 70 spaces
 9. Total Spacing Provided = 91 spaces
 10. Total Spacing Required = 48 spaces
 11. Lot Coverage: Building = ± 50%
 12. Request: Renewal of ZA-2005-3787-ZV

EXHIBIT "A"
 Page No. 2A-2014-985 (8v)
 Case No. ZA-2014-985 (8v)

EXISTING PLOT PLAN

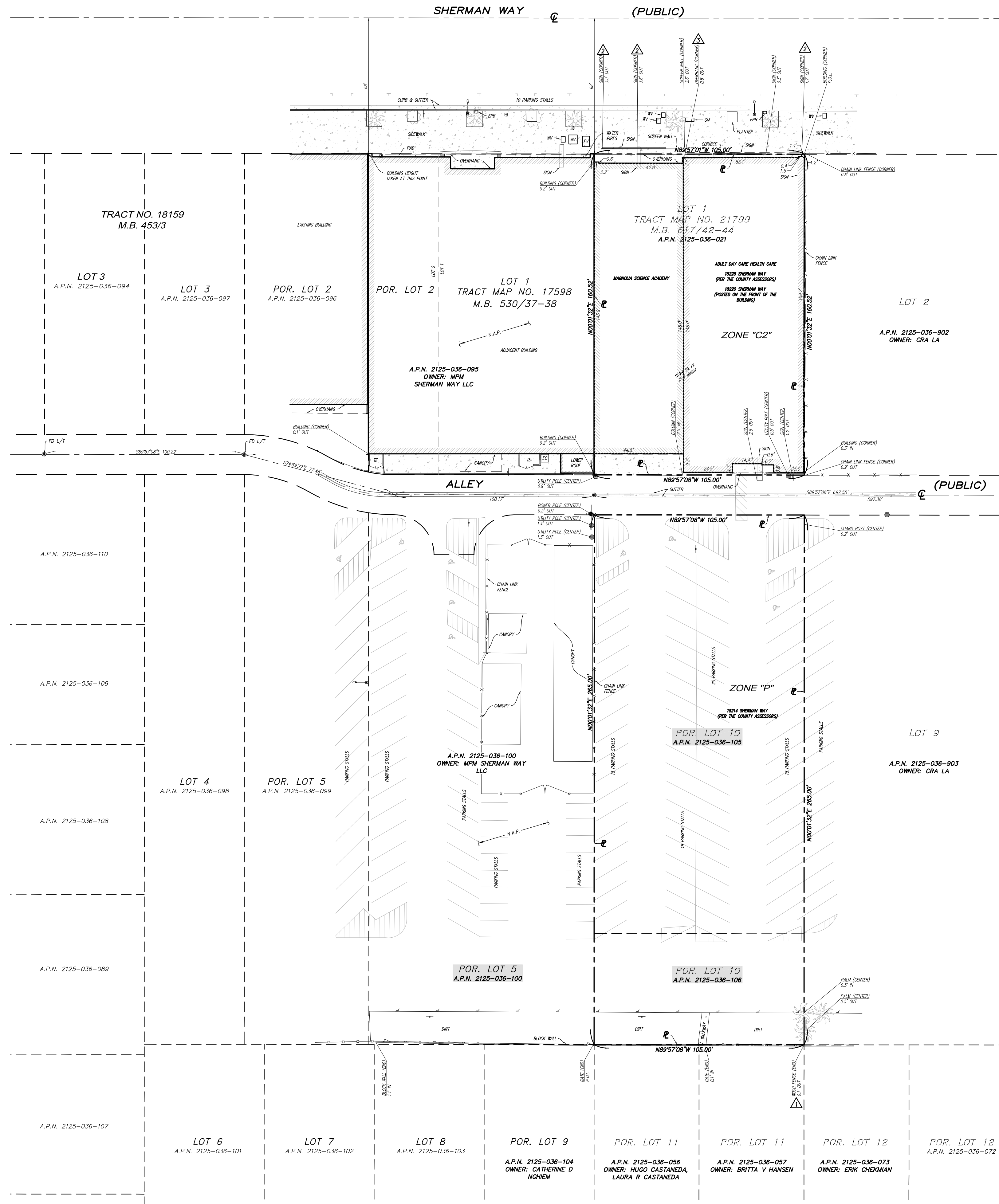
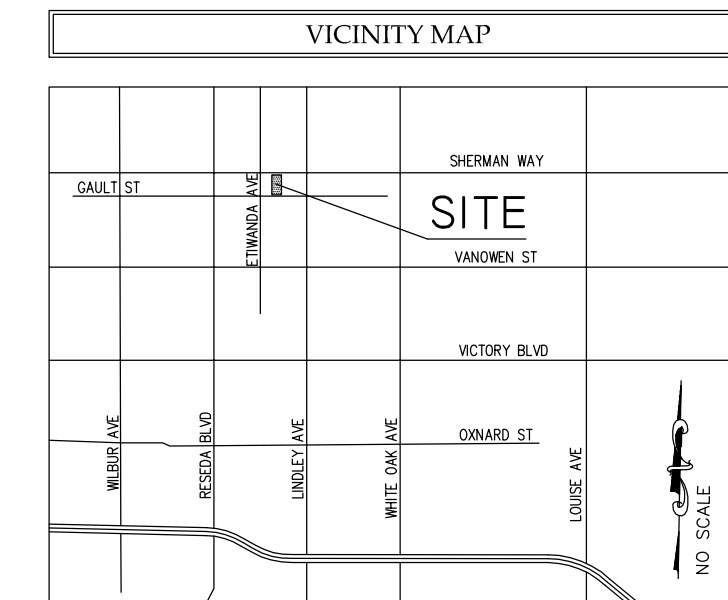
CAD GRAPHICS BY
 JPL Zoning Services
 6257 Van Nuys Blvd., #101
 Van Nuys, CA 91401
 (818) 781-0016



DATE: 10-30-13
 SCALE: 1/20" = 1'

A.L.T.A./N.S.P.S. LAND TITLE SURVEY

18228 & 18214 SHERMAN WAY, LOS ANGELES, CA 91335



BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED UPON THE CENTER LINE OF ALLEY, BEING SUBSTATIONED PER MAP TRACT MAP NO. 21799 RECORDED IN BOOK 530 PAGES 37 AND 38 OF RECORDING RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

FLOOD NOTE: By graphic plotting only, this property is in Zone "X" of the Flood Insurance Rate Map, panel No. 96037C1205F. Flood dated September 26, 2008. This property is located in an area where Flood Hazard exists as determined by FEMA. By telephone call to the National Flood Insurance Program (800-638-6620) we have learned this community does not currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

POSSIBLE ENCROACHMENT NOTES

THIS IS A LISTING OF OBSERVED ENCROACHMENTS THAT CROSS PROPERTY LINES, STATEMENT OF OWNERSHIP OR POSSESSION IS NOT THE INTENT OF THIS LISTING.

- ▲ SON OVERLAPS THE PROPERTY IN THE SOUTH AS SHOWN.
- ▲ OVERHANG OVERLAPS THE PROPERTY IN THE NORTH AS SHOWN.

NOTES

- NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.
- THERE WAS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.
- THIS SURVEY HAS BEEN PREPARED FOR TITLE INSURANCE PURPOSES ONLY. THIS SURVEY DOES NOT CONTAIN SUFFICIENT DETAIL FOR DESIGN PURPOSES. THE BOUNDARY DATA AND TITLE MATTERS AS SHOWN HEREON HAVE BEEN DEVELOPED FROM THE REFERENCED TITLE REPORTS.
- UNLESS THIS PLAN HAS THE SEAL AND SIGNATURE OF THE SURVEYOR OR LAND ENGINEER RESPONSIBLE FOR ITS PREPARATION, THIS IS NOT AN AUTHENTIC COPY OF THE ORIGINAL SURVEY AND SHALL NOT BE DEEMED RELIABLE.
- THE UTILITIES SHOWN HEREON ARE BASED ON OBSERVED EVIDENCE ONLY. THE SURVEY WOULD NOT SHOW UTILITIES COVERED BY CARS/BRICKS OR RECENTLY PAVED ASPHALT/CONCRETE OR OVERGROUND BRUSH, TREES AND SHRUBS.

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF LOS ANGELES, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

NOTES CORRESPONDING TO SCHEDULE B ITEMS

BASED UPON TITLE REPORT NO. 997-2308799-1M, DATED SEPTEMBER 21, 2016 AND PREPARED BY FIDELITY NATIONAL TITLE COMPANY.

1. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.
2. RECORDS AS SHOWN ON THAT CERTAIN MAP RECORDED NO. BOOK 617 PAGE 42 OF MAPS WHICH SHOWS THAT CERTAIN STRIP OF LAND BELONGING AS TO THE CITY OF LOS ANGELES FOR STREET PURPOSES THAT CERTAIN STRIP OF LAND BELONGING AS TO THE CITY OF LOS ANGELES WITH SAID SUBDIVISION REFERRING TO OURSELVES FOR THE USE OF OURSELVES AND SUCCESSORS OWNERS OF SAID STRIP OF LAND AND ALL UNLAWFUL USES OF SAID STRIP OF LAND EXCEPT FOR THE ERECTION OR CONSTRUCTION OF BUILDINGS HEREON AND EXCEPT FOR ACCESS PURPOSES BELONGS TO THE LAND OF PAGES CONDOLAS AND OTHER INTERESTING STRUCTURES THEREIN OVER THAT STRIP OF LAND UNTIL SUCH TIME AS THE LEGISLATURE SHALL ACCEPT THE SAME FOR STREET PURPOSES.
3. EASEMENT FOR PUBLIC UTILITIES RECORDED NO. BOOK 6028 PAGE 236 OF DEEDS (BLANKET IN NATURE).
4. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED FEBRUARY 17, 1933 AS INSTRUMENT NO. 500 IN BOOK 4098 PAGE 311 OF OFFICIAL RECORDS (BLANKET IN NATURE).
5. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT ENTITLED AGREEMENT AND GRANT OF EASEMENTS RECORDED JULY 11, 1967, RECORDED NO. 1967-3673 OF OFFICIAL RECORDS (DOES NOT AFFECT THE PROPERTY).
6. THE LAND DESCRIBED HEREIN IS INCLUDED WITHIN A PROJECT AREA OF THE REDEVELOPMENT RECORDED DECEMBER 28, 1994 RECORDED NO. 1994-223777 OF OFFICIAL RECORDS.
7. AN INSTRUMENT ENTITLED COVENANT AND AGREEMENT EXECUTED BY SHERMAN WAY COLLECTION ASSOC. IN FAVOR OF CITY OF LOS ANGELES RECORDED JANUARY 13, 2003 RECORDED NO. 2003-106106 OF OFFICIAL RECORDS.
8. A DEED OF TRUST.
9. A LIEN FOR UNDEVELOPED PROPERTY TAXES.
10. A LIEN FOR UNDEVELOPED PROPERTY TAXES.
11. A LIEN FOR UNDEVELOPED PROPERTY TAXES.
12. MATTERS WHICH MAY BE DISCLOSED BY AN INSPECTION AND/OR BY A CORRECT ALTA/NPS LAND TITLE SURVEY OF SAID LAND THAT IS SATISFACTORY TO THE COMPANY, AND/OR BY INQUIRY OF THE PARTIES IN POSSESSION THEREOF.
13. ANY RIGHTS OF THE PARTIES IN POSSESSION OF A PORTION OF, OR ALL OF, SAID LAND, WHICH RIGHTS ARE NOT DISCLOSED BY THE PUBLIC RECORDS.
14. ANY RIGHT, INTEREST OR CLAIM THAT MAY EXIST, ARISE OR BE ASSERTED AGAINST THE TITLE UNDER OR PURSUANT TO THE FEASIBLE AGRICULTURAL COMMODITIES ACT OF 1930, AS AMENDED, 7 USC, AREA ET, SEC. 16, THE PACKERS AND STOCKMEN ACT OF 1923, AS AMENDED, 7 USC 181 ET SEQ., OR ANY SIMILAR STATE LAWS.

ZONING RESTRICTIONS

NOTE: INDICATED ZONING INFORMATION ARE FROM THE CITY OF LOS ANGELES ZONING ORDINANCES IN EFFECT AS OF THE DATE OF THIS SURVEY.

ZONING RESTRICTIONS	FRONT	REAR	OTHER
ZONE: "C2" (COMMERCIAL ZONE)	NOT REQUIRED	NOT REQUIRED	EXCLUSIONS FOR COMMERCIAL PURPOSES.
MINIMUM SETBACKS:	FRONT: NOT REQUIRED	REAR: NOT REQUIRED	EXCLUSIONS FOR COMMERCIAL PURPOSES.
HEIGHT RESTRICTIONS:	NONE SPECIFIED		
ZONE: "P" (AUTOMOBILE PARKING ZONE)	FRONT: NONE SPECIFIED	REAR: NONE SPECIFIED	HEIGHT RESTRICTIONS: NONE SPECIFIED

SITE INFORMATION

SITE ADDRESS: 18214-18228 SHERMAN WAY, LOS ANGELES, CA 91335
 AREA: 1.026 ACRES, 44,680 SQ. FT.
 TOTAL GROUND FLOOR AREA OF BUILDINGS: 15,914 SQ. FT.
 PARKING: 75 REGULAR PARKING STALLS, 2 HANDICAP PARKING STALLS, 79 TOTAL PARKING STALLS
 ASSESSOR'S PARCEL NOS: 2125-036-021, 2125-036-105, 2125-036-096-106

SURVEYOR'S CERTIFICATE

TO: MACQUILA PUBLIC SCHOOLS; MACQUILA EDUCATIONAL AND RESEARCH FOUNDATION; A CALIFORNIA NON-PROFIT ORGANIZATION AND FIDELITY NATIONAL TITLE COMPANY.



Armand D. DuPont, Registration No. 7780, State of California

LEGEND

APN	ASSESSOR'S PARCEL NUMBER	ASPHALT PAVEMENT
EC	ELECTRIC CABLE	CORNER LINE
EPB	ELECTRIC PULL BOX	CONCRETE PAVEMENT
EV	ELECTRIC VALVE	ELECTRIC CABLE
FS	FINISH SURFACE	ELECTRIC PULL BOX
NG	NATURAL GRASS	ELECTRIC WIRE
P-CL	POINT-OF-CLINE	FOUR-ARMED
IC	TOP OF CURB	GAS METER
TE	TOP OF ENCLOSURE	GATE
RS	TOP OF STRUCTURE	GUARD POST
WB	WATER MAIN	HANDICAP
WV	WATER VALVE	LIGHT
	EDGE OF PAVEMENT	POWER POLE W/TRANSFORMER
	WOOD FENCE	PROPERTY LINE
	CHAIN LINK FENCE	STREET LIGHT
	PROPERTY LINE	SON
	INTERIOR LOT LINES	STREET
	RIGHT-OF-WAY	TILE
	EASEMENT LINE	PAVING MAT
	RETAINING WALL/BRICK WALL	UTILITY POLE
		WATER METER
		WATER VALVE
		WATER WALK

PREPARED FOR:
 Magnolia Public Schools
 232 E. FIRST STREET, SUITE 1500
 LOS ANGELES, CA 90012
 PHONE: (323) 429-129

NO.	DATE	REVISIONS	BY	DATE: NOVEMBER 3, 2016_AV/HP	SHEET 1 OF 1

CALVADA SURVEYING, INC.
 4111 Jenkins Cir., Suite 205, Corona, CA 92690
 Phone: 951-260-9960 Fax: 951-260-9746
 Toll Free: 800-CALVADA www.calvada.com
 JOB NO. 16690



**TIME EXTENSION
REQUEST FOR PROPOSALS
ZONING VARIANCE CONSULTING
SERVICES**

**MAGNOLIA SCIENCE ACADEMY 1
RESEDA CAMPUS**

**18238 Sherman Way
Reseda, CA 91335**

Posted

Date Posted: 9/19/2017

Submit Responses To:

Timothy Buresh

tim.buresh@primesourcepm.com

RFP Due Date:

9/29/2017 No Later

Than 5:00 P.M.



Request for Proposals – Zoning Variance Consulting Services
Time Extension - September 19, 2017 - Page 2

TIME EXTENSION

The Request for Proposal due date is now extended to 5:00 PM, Friday September 29, 2017. All other requirements remain unchanged.

Rabuild Commercial Services LLC
449 West Foothill Blvd. Suite 157
Glendora, CA 91741
213 272-4784
vbcommercial@outlook.com

September 28, 2017

Timothy Buresh
Tim.buresh@primesourcepm.com
18238 Sherman Way
Reseda, CA 91335

Re: Engagement Agreement to obtain Discretionary City and County Approvals for Real Estate Entitlements related to the property APN# 2125-036-021 and APN# 2125-036-105, known as,

18216-18220 W. Sherman Way, Los Angeles, CA 91336

Dear Mr.Buresh,

Thank you for your interest in using Rabuild Commercial Services LLC, to serve you.

This letter is to set forth and confirms that [Magnolia Science Academy 1 Reseda Campus](#), have engaged Rabuild Commercial Services LLC to provide consulting services to you for the administration of Governmental Relations, and Entitlement/Land Use process related to the above mentioned property.

This work will be performed at our regular hourly rates, which vary between \$65.00 per hour to \$220.00 per hour, depending upon the individual doing the work and the type of work required, see attached Rate Exhibit for breakdown. Our time is calculated in increments of 15 minutes. All telephone calls have a minimum time allocation of 15 minutes. In addition to the charges for time, you will be billed for all costs as they are incurred, including photocopying, parking, messenger service, postage and similar cost items. These items will be billed at cost. Permits will be billed back to the client at cost. We try to use professionals within the company that can do an assigned part of the project for the most effective overall lowest cost to you. Therefore, usually more than one person is involved in a project such as yours. Time is charged when more than one person may be present at any time, such as in a conference. However, I will have primary responsibility for this matter and the others will, in effect, be assisting me.

Because of the nature of your project, we cannot estimate the total charges for fees. If there is any work done for you, which is not covered by this Fee Agreement and not covered by another Fee Agreement, we will contact you and request permission to continue the necessary work, that work will be billed at our customary hourly rates then in effect plus reimbursable costs.

Improper Performance of Contractors and Suppliers

Rabuild Commercial Services LLC shall not have control or charge, and shall not be responsible for, the design, means, methods, techniques, sequences or procedures of construction, fabrication, shipment, delivery or installation, or for the safety precautions or programs in connection with the work to be performed for any aspect of this Project, or any aspects of work done in association with the Owner's development on the Property, including the acts or omissions of any designers, architects, contractors, subcontractor suppliers, or any other persons performing any of the work, or for the failure of any of them to carry out the work in a proper manner. Rabuild Commercial Services LLC, only duties pursuant to this agreement are to facilitate Owner as described.

This fee agreement will not take effect, and Rabuild Commercial Services, LLC will have no obligation to provide consulting services, until this agreement is executed and the initial fee or retainer is paid.

Indemnification

[Magnolia Science Academy 1 Reseda Campus](#), agrees to indemnify and defend against, and to hold Rabuild harmless from, any and all liability, loss or damage that Rabuild Commercial Services LLC may incur as a result of any claims associated with the Project.

We cannot represent the result of our efforts will be successful in whole or in part. While we agree to use our best efforts in your representation, nothing in this Fee Agreement and nothing in our statement(s) to you will be construed as a promise or guarantee about the outcome of your matter, and we make no such promise or guarantees. Our comments about the outcome of your matter are the expression of opinion only.

Primarily, time spent and hourly rates are used in the preparation of the bills. There are times however, when other factors need to be considered, such as the difficulty of the work, the expertise required, the time constraints, etc.

We will render billings to you on a monthly basis. You will have an obligation to pay the bills rendered by this office within thirty (30) days from billing. All fees not paid within thirty (30) days of billing will bear interest at the rate of 10% per annum. In the event of arbitration over a fee dispute, such arbitration shall be heard in Los Angeles, California. In the event any arbitration or court action may be brought under

this Fee Agreement, it is agrees that any such action may be brought in any court in the State of California and any award or judgment shall include attorneys' fees and courts.

If there is any unresolved disagreement over our fees, you will have the option of arbitrating such agreement. The arbitration can be binding or non-binding. We are willing to agree in advance that any such arbitration will be binding on either party.

Any additional services we perform for you and your various entities, unless separately agreed to, will be performed under all the terms and conditions set forth above.

Our agency/consulting client relationship is one of mutual trust and confidence. We do our best to see that our clients are satisfied not only with our services but also with the fees charged for those services. Whenever you have any questions or comments regarding our services, or the status of your files, or whenever any new facts or considerations come to your attention, you should contact me or any other consultant or agent with whom you are working. We encourage you to inquire about any matter relating to our fee arrangements or monthly statements that are in any way unclear.

It is important to our agency/consultant relationship that any questions you have about our billings to you be resolved while the matter is fresh on all our minds. Therefore, you agree that you will have thirty (30) days after the delivery of a bill to you to make objections or questions any of the items on the bill. Absent any such objection or question, you will be deemed to have accepted the items on the bill and to have admitted to their accuracy and to your obligation to pay the total shown on such bill.

Please indicate your agreement to the above by signing and returning the attached copy of this letter. We are requesting a retainer, payable now, in the amount of \$3,500.00 to be applied against fees and costs.

Sincerely,

Rabuild Commercial Services LLC

Veronica Bœrra
California State License 00826816

Acknowledged: _____ Dated: _____
Timothy Buresh

Rate Exhibit

Principal	\$220.00 per hour
Assistant Planners	\$200.00 per hour
Expediting Assistants	\$165.00 per hour
Planning Assistants	\$165.00 per hour
Project Managers	\$ 95.00 per hour
Assistants	\$ 65.00 per hour

Scope of Work

A. Zoning, Land Use and Entitlement Analysis

- Review, research and consult on all documents and plans related to the project.
- Consult with all members of the development team as needed.
- Determine use and verify zoning. Meet with City of Los Angeles Planning and Building and Safety, BOE and Land Development Staff for a preliminary review of proposed project.
- Review and summarize key zoning restrictions.

B. Governmental Relations

- Meet with City Officials, Councilmembers and Agencies to determine feasibility of project.
- Meet with community groups, property owners and other parties, including City Agencies to present project and generate support.

C. Entitlements

- Coordinate all documents needed for the submittal of all planning applications, including coordination with all members of the development team.
- File all planning applications, including but not limited to Variances, Conditional Use and or Zone Changes.
- Attend all hearings associated with the various applications.
- Clear all conditions required for final approval of discretionary requests.

Cover Sheet

MSA 7 CUP Expansion Project Update

Section: III. Updates on Facility Projects
Item: A. MSA 7 CUP Expansion Project Update
Purpose: Discuss
Submitted by:
Related Material: III A MSA 7 CUP.pdf



Board Agenda Item #	Agenda # III A
Date:	October 5, 2017
To:	Magnolia Board of Directors- Facilities Committee
From:	Caprice Young, Ed.D., CEO & Superintendent
Staff Lead:	Suat Acar, Chief Operations Officer
RE:	MSA 7 CUP (Conditional Usage Permit) Expansion Project Update

Proposed Board Recommendation:

Discussion Item, no action required; direction being requested. Possible Directions to Staff:

1. To direct MPS Home Office staff to move forward with MSA 7 CUP (Conditional Usage Permit) Expansion Project and increase the enrollment capacity to 450-500; direct staff to accept all costs or share the costs of project applications and implementation
2. To direct MPS Home Office staff to withdraw from the project and continue operations as usual

Background

MPS Facility Committee was provided with the CUP issue of MSA 7 during the Facilities Committee Meeting conducted on 05.06.2015. The plan communicated was that staff working with church administration (the lessor) to find out about a possibility to expand the CUP to 450 so that MSA 7 would be able to accept more students by adding classrooms to the site. MPS Home Office staff communicated with the Church and proposed to the Church administration that MPS could share or pay the full cost of the CUP application process if the Church would agree to expand the CUP for the site. MPS planned to place bungalows upon approval of the new CUP limit.

The Church Board approved the CUP project, contingent upon our paying for it, but later in 2016-17 the Church Board decided to begin a development project over the existing MSA 7 building, parking lots and the huge green area. The Church communicated with MSA 7 administration that they would not go with the CUP Expansion project at this point because they wanted to wrap the process into the larger development.

In the summer of 2017, the Church administration informed MPS officials that the Church development project would likely take five years and that we may go ahead with our expansion in the meantime. We are now returning to the MPS Facilities Committee as an informational item to get the direction from the committee members.

Part of the development in which the church is engaged (at a slower pace than planned), includes selling the land on which our school is located to a developer who will build us a school for 500 students (on what is now our paying field). They would like us to enter into an agreement to lease that site at similar rates as we are currently paying per student so that they can use that lease to procure construction financing. We have not begun negotiation of that lease yet, but it would be in our interest to do so in order to make sure they don't lease the site to another school. It is possible still that the development would not move forward at all, but the agreement would protect us and require that we have a say in the site specifications.

Independent of any expansion, MSA-7 needs to complete some projects not covered under the lease to ensure the facilities are compliant with the Americans with Disabilities Act. These projects need to be completed regardless of the CUP, and if we do not complete them we will not be able to get the CUP. Staff has identified the work required and is drafting a budget and RFP to bring to the board for approval.

Because our larger schools are more financially sustainable than our smaller schools, and because having a larger elementary school to provide more students to MSA 1, 2 and 5 would be beneficial, staff would like permission to continue investigating expansion of MSA 7 prior to the developer completing his deal with they church. The staff will develop a plan to complete the RFP and to add bungalows according to anticipated increases in recruitment for new grade levels that will increase the size of the school from 274 to between 450 and 500 over time with the intension of transitioning into the new facility if and when the developer has completed it. Staff would bring that plan to the November board meeting for review and approval, with whatever options arise during the planning process. Staff would appreciate an understanding of what questions the committee would like answered as part of the development of that plan.

If the board approves the plan in November, staff would complete an RFP process for a consultant to manage the CUP process. The time required to receive the CUP could be nine months to a year, during which staff would receive bids for architectural plans for bungalow placement, groundwork, and bungalows. When the CUP has been received (approximately November 2018), staff would begin more extensive recruitment student efforts and complete the bungalow placement on the site for the students starting in 2019-20, with more bungalows being added each year thereafter until we reach CUP capacity and according to plan.

Budget Implications

The Church expects all the CUP costs to be paid by Magnolia Schools and does not intend to engage in the CUP process otherwise. At this point, we do not have an estimated total cost for this

project. No costs for this project or the ADA work have been included in the current 2017-18 budget, so future agenda items would require staff to identify funding and seek board approval.

CFO Review – not included in the 2017-18 adopted budget

How Does This Action Relate/Affect/Benefit All MSAs?

Increasing the number of elementary school students in the valley will help improve financials of MSA 7, allow more robust programs, and also help increase enrollment numbers of MSA 1, 2 and 5. Once students start with MPS they tend to continue with MPS for Middle and High School.

Name of Staff Originator:

Suat Acar, COO.

Attachments

May 6th, 2017 Facilities Committee Meeting Agenda and Board Report



MAGNOLIA PUBLIC SCHOOLS

13950 Milton Ave. 200B Westminster, CA 92683

P: (714) 892-5066 F: (714) 362-9588

Magnolia Public Schools Special Meeting of the Facilities Committee

AGENDA

**13950 Milton Ave. Ste 200, Conference Room
Westminster, CA 92683**

Teleconference

Wednesday, May 6, 2015 at 6:00 p.m.

Access to the Board Meeting:

Any interested parties or community members from remote locations may attend the meeting at the following school sites or the addresses where the Board members are joining the meeting from:

- MSA-1 school site: 18238 Sherman Way, Reseda, CA, 91335
- MSA-6 school site: 3754 Dunn Dr., Los Angeles, CA, 90034
- MSA-San Diego school site: 6365 Lake Atlin Ave., San Diego, CA, 92119
- MSA-Santa Clara school site: 2720 Sonoma Place, Santa Clara, CA, 95051
- 7220 Trade St. San Diego, CA 92121
- 449 36th Street #2 Brooklyn, NY 11232

Magnolia Public Schools Facilities Committee members:

Dr. Umit Yapanel, President

Dr. Mustafa Kaynak

Mr. Nguyen Huynh

CEO and Superintendent:

Dr. Caprice Young

INSTRUCTIONS FOR PRESENTATION TO THE BOARD:

- Members of the public may address the Board on items within the jurisdiction of the Board.
- The total time for all public comment (general and agenda items) is limited to twenty (20) minutes, not to exceed three (3) minutes per speaker.
- Requests to speak must be received before the Board meeting starts.
- The minutes are nontransferable.
- **In compliance with the Americans with Disabilities Act (ADA) and upon request, Magnolia Public Schools School may furnish reasonable auxiliary aids and services to qualified individuals with disabilities. Individuals who require appropriate alternative modification of the agenda in order participate in Board meetings are invited to contact the**



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MPS central office. If you need special assistance to attend the meeting, please notify Barbara Torres at (714) 892-5066 x100 to make arrangements and accommodate your disability.

MEETING AGENDA

Open Session

1. **Call to Order**
2. **Roll Call**
3. **Public Comment**
4. **Approval of the Agenda**
5. **Information Item:** Facilities Updates, Valley Cluster
 - a. MSA 1
 - b. MSA 2
 - c. MSA 5
 - d. MSA 7
6. **Information Item:** Facilities Updates, Los Angeles Cluster
 - a. MSA 3
 - b. MSA 4
 - c. MSA 6
 - d. MSA 8
7. **Information Item:** Facilities Updates, Statewide Cluster
 - a. MSA Santa Ana
 - b. MSA San Diego
 - c. MSA Santa Clara
8. **Information Item:** Proposition 39 Update
9. **Information Item:** Site Improvements-Summer 2015
 - a. MSA 1
 - b. MSA 2
 - c. MSA 7
10. **Public Announcement of Reasons for Closed Session**

CLOSED SESSION

11. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Magnolia Science Academy Santa Clara

Property: 3275 Williams Road San Jose, CA 95117



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13950 Milton Ave. 200B Westminster, CA 92683

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Agency negotiator: Frank Gonzalez, Chief Growth Officer
Negotiating parties: Chris Nallan, International Christian Center
Under negotiation: Price and terms of payment

Property: 1161 N Fair Oaks Ave., Sunnyvale, CA 94089
Agency negotiator: Frank Gonzalez, Chief Growth Officer
Negotiating parties: Anthony Varni, Varni LLC
Under negotiation: Price and terms of payment

Magnolia Science Academy 1

Property: 18220 Sherman Way, Reseda, CA 91335
Agency negotiator: Frank Gonzalez, Chief Growth Officer
Negotiating parties: Hank Dayani, Luxor Properties
Under negotiation: Price and terms of payment

Magnolia Science Academy 5

Property: 16651 Rinaldi Street, Granada Hills, CA 91344
Agency negotiator: Frank Gonzalez, Chief Growth Officer
Negotiating parties: Greg Frost
Under negotiation: Price and terms of payment

Magnolia Science Academy Santa Ana

Property: 2625 N Tustin Ave, Santa Ana, CA 92705
Agency negotiator: Frank Gonzalez, Chief Growth Officer
Negotiating parties: Bill Shane, Temple Beth Shalom
Under negotiation: Price and terms of payment

Magnolia Science Academy 6

Property: 1 Civic Plaza, Carson, CA 90745
Agency negotiator: Frank Gonzalez, Chief Growth Officer
Negotiating parties: Dr. Lee
Under negotiation: Price and terms of payment

12. Reconvene to Open Session

13. Announcement of Action(s) Taken in Closed Session and the Vote of Every Member in Closed Session

14. Adjournment of Meeting

This agenda has been posted at the following locations:

- Magnolia Public Schools website: <http://www.magnoliapublicschools.org>
- Magnolia Public Schools office: 13950 Milton Ave. Ste. 200B, Westminster, CA, 92683
- MSA-1 school site: 18238 Sherman Way, Reseda, CA, 91335



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P: (714) 892-5066 F: (714) 362-9588

- MSA-2 school site: 17125 Victory Blvd., Van Nuys, CA, 91406
- MSA-3 school site: 1254 East Helmick St., Carson, CA, 90746
- MSA-4 school site: 11330 W Graham Place, Los Angeles, CA, 90064
- MSA-5 school site: 18230 Kittridge St Reseda, CA 91335
- MSA-6 school site: 3754 Dunn Dr., Los Angeles, CA, 90034
- MSA-7 school site: 18355 Roscoe Blvd., Northridge, CA, 91325
- MSA-8 school site: 6411 Orchard Ave, Bell, CA, 90201
- MSA-San Diego school site: 6365 Lake Atlin Ave., San Diego, CA, 92119
- MSA-Santa Clara school site: 2720 Sonoma Place, Santa Clara, CA, 95051
- MSA-Santa Ana school site: 102 Baker St. E, Costa Mesa, CA, 92626
- 449 36th Street #2 Brooklyn, NY 11232
- 7220 Trade St. San Diego, CA 92121

Teleconference Information:

Call: 1 (872) 240-3312

Code: 260-706-941



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Magnolia Public Schools Facilities Committee Meeting

Staff Report

13950 Milton Ave. Ste. 200, Conference Room
Westminster, CA 92683

Wednesday, May 6, 2015 at 6:00 p.m.

Staff Report *Open Session Items*

5. Information Item: Facilities Updates, Valley Cluster
 - a. **MSA 1:** There are currently 521 students enrolled with projected enrollment for the '15-'16 school year of 540 students. The school cannot enroll additional students due to space constraints. An opportunity exists to expand the facilities of the school by occupying the adjacent building. **Additional information to be provided in closed session.**
 - b. **MSA 2:** There are currently 452 students enrolled with projected enrollment for the '15-'16 school year of 515 students. The school cannot enroll additional students due to space constraints. Two additional portables have been requested from the school district. We have asked for a meeting with school district facilities personnel to discuss a development plan on the site that would provide for new buildings and increased capacity.
 - c. **MSA 5:** An opportunity exists to relocate the school to an existing charter school facility in Granada Hills. The current site is very close to MSA1 and there are site constraints that limit the future growth of the school. **Additional information to be provided in closed session.**
 - d. **MSA 7:** There are currently 290 students enrolled with projected enrollment for the '15-'16 school year of 315 students. The school cannot enroll additional students due to space constraints. A new CUP is being filed which will increase the allowed capacity to 450 students. Additional classroom space will be delivered via the addition of 6 portable classrooms. The goal is to receive planning department approvals and install the portables in time for the beginning of the '16-'17 school year.



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6. Information Item: Facilities Updates, Los Angeles Cluster
 - a. **MSA 3:** There are currently 442 students enrolled with projected enrollment for the '15-'16 school year of 475 students. The search for a permanent site is ongoing. The goal is to relocate the school into a permanent facility in time to begin the '16-'17 school year. **Additional information to be provided in closed session.**
 - b. **MSA 4:** There are currently 205 students enrolled with projected enrollment for the '15-'16 school year of 220 students. The school cannot enroll additional students due to space constraints and a significant amount of public and private school choices in the immediate area.
 - c. **MSA 6:** There are currently 163 students enrolled with projected enrollment for the '15-'16 school year of 180 students. The school cannot enroll additional students due to space constraints and a significant amount of public and private school choices in the immediate area.
 - d. **MSA 8:** There are currently 484 students enrolled with projected enrollment for the '15-'16 school year of 495 students. We are working to extend the Facilities Use Agreement for an additional five years, to run coterminous with the charter petition approval. The school will host a national science conference at the site during the summer.
7. Information Item: Facilities Updates, Statewide Cluster
 - a. **MSA Santa Ana:** There are currently 156 students enrolled with projected enrollment for the '15-'16 school year of 250 students. An opportunity exists to open an additional site in Santa Ana for the elementary school portion of the charter school, this upcoming school year as a facility with up to 8 classrooms is available for lease. **Additional information to be provided in closed session.**

Proposition 1D Status: The California School Finance Authority is reviewing the financial soundness of the organization. If a recommendation for approval is moved forward, the board of directors of the California School Finance Authority will vote on the "Approval of Financial Soundness Determination for the Charter School Facilities Program for Final Apportionment" for the Prop. 1D award for Magnolia Science Academy Santa Ana. The board meeting will take place on or about May 18, 2015 a special meeting of the Authority. The total award amount being voted on is \$17,413,956.

The California School Finance Authority (CSFA) is responsible for making this determination by conducting an in-depth financial review of each applicant.



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Statute requires a charter school to have been in operation and in good financial standing for two years or have the equivalent managerial experience to be considered financially sound. The determination is made on a Pass/Fail basis.

The State Allocation Board will vote to convert the award to a 'Final Apportionment at their board meeting on May 27, 2015 in Sacramento. Once both approvals are received, from CSFA and SAB, the project can start, with the goal of occupying the space in August 2016.

Tentative Project Schedule:

- | | |
|--------------------------|-----------------|
| 1. Re-Bid Project | June 14, 2015 |
| 2. Bid Awarded | July 24, 2015 |
| 3. Construction Start | August 1, 2015* |
| 4. Construction Complete | August 7, 2016 |
| 5. Occupancy | August 21, 2016 |
- *The construction schedule is 11 months with one month of contingency.

The bonds will be sold by the state of CA in the Fall. A bridge loan for 120 days in the amount of approximately \$1.5M will be necessary in order to begin construction and meet the schedule.

- b. **MSA San Diego:** There are currently 365 students enrolled with projected enrollment for the '15-'16 school year of 438 students. We have met with school district officials to express our continued interest in acquiring the existing site. To that end, a meeting is being scheduled with the company that is continuing to negotiate with the school district for acquisition of the property. We are also analyzing other opportunities to relocate to other district campuses near the current site, beginning in SY '16-'17.
 - c. **MSA Santa Clara:** There are currently 463 students enrolled with projected enrollment for the '15-'16 school year of 420 students. **Additional information to be provided in closed session.**
8. Information Item: Proposition 39 Update
- a. **LAUSD:** On the advice of counsel we have accepted all 'Final Offer of Space' for each school co-located on a district site via Proposition 39. We submitted our acceptance letter by the statutory deadline and it was acknowledged by the school district.. We have been in conversations with the district charter schools division and facilities department on developing alternative agreements, as is allowed by statute, so that each of the affected school sites can receive additional teaching stations including science classrooms and dedicated special education classrooms. Each of the school sites is 1-3 classrooms short of their



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desired facilities allocation. Schools currently on LAUSD Prop. 39 co-locations are MSA 3, 4, 5 and 8 (for this year only). While MSA 2 is also on LAUSD campuses they have a multi-year facilities use agreement.

9. Action Item: Site Improvements-Summer 2015

- a. **MSA 1:** The improvement of the existing facility including a new lunch shade structure, solar panels, the conversion of classroom into 6 offices, the conversion of two small offices into a special education room, flooring and painting. All work will be procured via an RFP process. A detailed budget will be finalized once the bids are received. The source of funds is an existing energy efficient grant that has been received as well as the school's general fund. A detailed scope of work with budget and timeline will be brought to the Board of Directors for authorization.
- b. **MSA 2:** The improvement of the existing facility via the addition of two portable classrooms. The detailed scope of work with budget and timeline will be brought to the Board of Directors for authorization.
- c. **MSA 7:** The improvement of the existing facility including exterior lighting, interior and exterior painting, replacement of old windows, replacement of doors. The source of funds is an existing energy efficient grant that has been received as well as the school's general fund. A detailed scope of work with budget and timeline will be brought to the Board of Directors for authorization.

Cover Sheet

Updates on Magnolia Science Academy- 1 Facility

Section: III. Updates on Facility Projects
Item: B. Updates on Magnolia Science Academy- 1 Facility
Purpose: Discuss
Submitted by:
Related Material: III B MSA 1 Facility.pdf



Magnolia Science Academy - 1

New High School Classroom Project

Monthly Status Report – September 2017



Project Overview

This project will move the current high school into a new classroom building and then create a new middle school in the existing building. Construction scope now consists of multiple parts: demolition of the existing gymnasium building; construction of a new 2-story high 15-classroom building with rooftop athletics; construction of site drainage system; re-construction of site parking lot; construction of parking lot landscaping; and façade and minor internal improvements to the existing building.

Activities This Month

The new building design was submitted to LADBS for permitting last summer. Correction comments have been received and are being addressed by the design team. An RFP for Construction Management services was issued, and PrimeSource Project Management selected and is now under contract. Weekly coordination meetings are underway; this month's minutes are attached.

The demolition procurement was concluded and a demolition contract finalized. An RFP for zoning consultant services has been issued and proposals are due 9/29. A change order to Franco Architects for additional services is being prepared for Facilities Committee review.

Current Issues

The project scope and direction has changed several times over the course of design. Prolonged negotiations related to the LA Kings skating rink and the potential variations of site sharing or property exchange negatively impacted the parking lot design. The current design does not reflect long term campus needs or the resolution of various zoning variance requirements. The design also does not consider long term master planning requirements. The current zoning variance that controls site use imposes conditions that cannot be met and which are inappropriate to the planned high school and middle school campus. These issues must be resolved in order to obtain a building permit. Resolution includes the following:

1. Discussion has begun with staff on master planning issues. The Board shortly will be asked for guidance.
2. A zoning consultant will be tasked with: (a) modifying the current zoning variance to reconcile conflicts between the zoning variance requirements and the changed school size and composition; (b) obtaining zoning permission for the long term master plan.
3. The design team will submit parking lot plans sufficient to obtain the building permit, but which will require revision after the zoning variance changes are obtained and prior to construction.
4. School administration will document compliance with the various operating criteria specified in the zoning variance.



Magnolia Science Academy - 1

New High School Classroom Project

Monthly Status Report – September 2017



Schedule

Abatement and demolition will begin on October 5th and be completed the first week in November.

Building permit issues will be resolved by the end of October if zoning issues can be resolved quickly.

The project cannot be bid until the building permit and zoning issues are resolved. Normal construction would require 10 months. At best, main building construction will not begin until November.

The goal is to complete the new classroom building for occupancy by August 2018. This may not be possible without significant mitigation steps.

Cost and Budget

A comprehensive budget and cost to date is being assembled.



Magnolia Science Academy - 1

New High School Classroom Project

Coordination Meeting Minutes



Coordination Meeting Minutes – September 8, 2017

Attendees

Mustafa Sahin, Tim Buresh, Etmny Cornejo, Stephanie Liu

Discussion & Issues

1. Introductions and communications
2. Project directory – need missing information/confirmation of information from all parties
3. Project design classroom building – walk through of design concept and evolution – consensus that building concept is OK and no major changes required – rooftop athletic area definitely remains – provided prints of LADBS submittal package
4. Project design master plan - discussed evolution – aborted Kings hockey facility – leftover ripple on design concept – confirmed intent to add third structure to campus – need to develop a master plan concept including third building size and placement before parking design can be finalized/rationalized – master plan required before CUP/zoning variances can be finalized/rationalized – preliminary impression 3rd building should be placed away from alley toward residential side – would allow parking to be consolidated for entire campus – would release portion of existing parking lot space to be converted to open space/landscape area – need to pin down concepts
5. Project design parking lot - current parking lot design concept expensive and does not take into account master plan buildout of site – parking design assumed that traffic through flow required between adjacent parking lots – outmoded design concept from the 1950's – instead MSA campus may/should be isolated from adjacent lots – may make more sense to regrade lot to drain toward alley gutter – could have French drains service lot, but under pavement, avoiding permeable paving – grade separation/retaining wall between parcels ok – mount fence on top to define MSA campus site – need to develop parking concept for entire campus using 1/500 sf ratio for high school, 1/classroom for middle school – note that residential properties are at higher elevation than adjacent portion of MSA parcels (12-18") which kept flooding on MSA parcels – problem of sheet flow from parcels adjacent to MSA parcels – no obligation to accept runoff



Magnolia Science Academy - 1

New High School Classroom Project

Coordination Meeting Minutes



6. Project design permits – project currently in for 3 separate building permits (high school building, high school parking, middle school parking/food service) – very close to full approval of high school building and parking – only way to break ground quickly on high school building is to complete permit process with existing designs and concepts – then defer parking lot and go back with revised design that deals with entire MSA campus + new building per master plan
7. Project design gymnasium – need to have design programming session to determine functions, size, location for gymnasium – big question whether single multi-purpose room or multiple broad use rooms (athletics +food service/library) – agreed to have program meeting next week (Wednesday) to develop building program
8. Design – zoning issues – this is a mess – two-step process required – (1) need to deal with current outstanding variances to consolidate campus parcels and requirements, rationalize parking count, accommodate future building space, temporary food service in future building location – (2) CUP process for new building – need to retain zoning consultant ASAP and get working on current variance issues so that it does not hold up current building permit applications, then go for revised design of parking lot and site
9. Cost – we need to assemble cost to date and remaining funds to determine what is available for project and for third building

Action Items

(Person Responsible/Description/Due Date)

1. Etmny – Franco to complete plan comment responses ASAP and submit to Building Dept – Franco to have conversation with Planning on resolution process for variances/ need completion schedule by 9/15
2. Etmny/revise Franco design proposal with breakdown for (1) façade (2) master planning (3) parking lot redesign/by 9/15
3. Etmny/ prepare site concepts and materials for master planning workshop/by Wednesday 9/13
4. Tim/ revise zoning consultant RFP to add scope based on today's discussion/ by 9/12
5. Mustafa/ post RFP and contact 3 firms requesting proposals/ by 9/15
6. Etmny/ send Tim copy of architectural program for high school, geotechnical report and ALTA survey/by 9/15
7. Frank/Forward demolition package – bid, contact information, Board action /due 9/8
8. Frank/forward Franco contract and invoice file to Tim/ by 9/15



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New High School Classroom Project

Coordination Meeting Minutes



9. Mustafa/Contact City to gain construction staging access to former CRS parcel/ by 9/15/17
10. Suat & Frank – clarify remaining budget for new classroom building and site development/ was due 9/8
11. Frank/get ROM cost estimate from friendly GC/by 9/15
12. Frank/ forward contractor names/ by 9/15



Magnolia Science Academy - 1

New High School Classroom Project

Coordination Meeting Agenda



Coordination Meeting Agenda – September 15, 2017

Attendees

Suat Acar, Mustafa Sahin, Tim Buresh

Discussion & Issues

1. Site master plan – need to pin down master plan so that current parking lot design and zoning variances can be cleaned up – consensus is to place third building on middle school parking lot, with building against west side and close to alley – (see attached sketch) - building to be considered support space for middle school so will require minimal parking spaces - building needs to be set back from alley far enough to accommodate fire department turning zone, and far enough back to allow student pedestrian grouping outside of the alley traffic lanes, and far enough back to avoid claustrophobic feeling – rest of west edge of parcel will be fenced/green landscape barrier, south edge will need 8' block wall/green landscape barrier separating school from adjacent residential parcels - balance of middle school parcel will be devoted to outdoor recreation – probably have to use artificial turf because of level of activity, grass will be had to maintain – can use area covered with artificial turf to cover French drain that will accommodate all runoff for entire site – all parking to be concentrated on high school parcel, think that reduced/correct parking demand can be fit on site – MSA not required to allow neighbors to drive over MSA parking lot, allows fencing/separation between MSA and neighbors – allows more parking to fit inside MSA boundaries – concern over drop off/pickup volume of cars - will use traffic lanes in MSA parking lot to stage cars – will also set up unofficial car pool loading zone on Sherman Way in front of schools – could petition City for permanent loading zone status.
2. Third building plan will require Board approval – next Board meeting October 12th (TBD) – need adequate plans/estimate/program to brief Board - third building will be multi-purpose and accommodate athletics, dining, and academic activities – building is being sized primarily to accommodate large group (450 student) activity, either middle or high school, but not both at same time - conceptually OK with smaller building footprint/capacity and outdoor seating space with fabric or hard overhead covering – would like building to “open up” to outdoor space – indoor space should be adequate for standard full basketball court (50x83 ft.) with minimal interior clearance on three



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New High School Classroom Project

Coordination Meeting Agenda



sides and limited folding/temporary chair seating on 4th sideline (no bleacher seating required) – support spaces required include boys and girls changing/rest rooms (lockers for 30 students each room), minimal food service support area (washup, counter, delivery access, cart storage), indoor and outdoor storage (for athletic equipment, seating, tables), janitor closet, Mech/Elec room – needs A/V/WiFi systems for events and instruction (big screen for movies?) – indoor athletics activities include basketball, volleyball, gymnastics (mat activity only) that all share same court, plus small strength training and conditioning area (free weights, machines) – instruction can use movable instruction cabinets to create/disassemble instruction spaces – must be high ceiling for athletics and claustrophobia. Board decision required: will this be a 1 or 2 story building? One story would have all activities share same space, require daily assembly/disassembly of food service. Two-story building would have first floor be dining/academic activities and 2nd floor be gymnasium. Either option will fit on site. Primarily a cost question.

3. LA Kings/CAR development – potential ice/roller rink on parcels adjacent to MSA-1 still a possibility – could offer expanded athletic space – would not reduce MSA need for parking or food service/group activity space – would still be years off – MSA should collaborate to extent possible, but proceed to develop its own space.
4. Zoning and approvals – a zoning consultant is needed ASAP – RFP already posted – proposals expected next week from at least 2 firms – will deal first with modifying zoning variances and conditions already granted (reducing the number of parking slots required, combining parcels, drainage on middle school parcel, food service inot permanent structure) – second task CUP approval for third building.
5. Design – need to submit plan corrections to LADBS ASAP – need Franco to share comments and planned resubmission date to LADBS – there are issues with submitted parking lot design, approach to submit parking as is, then change design after zoning re-work and before construction – need to issue mandatory 30-day excavation notice - need Franco invoice and correspondence file from Frank – Franco has submitted extra work authorization request for parking lot, master planning, and façade – will require tweaking for master planning work.
6. Demolition – MSA ready to release gymnasium – prefer to see demolition work proceed and show that project is moving forward – agreed to October 2nd date to begin demolition – received demolition contract – need demolition RFP from Frank – need to execute contract after Tim calls and confirms with demolition contractor.
7. Cost – gathering cost information, have partial reports on expenditures - need project cost report and file from Frank - we need to assemble cost to date and remaining funds



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Coordination Meeting Agenda



to determine what is available for project and for third building – Tim to do revised completion estimate

Action Items

(Person Responsible/Description/Due Date)

1. Etmny – Franco to complete plan comment responses ASAP and submit to Building Dept – Franco to have conversation with Planning on resolution process for variances/ need completion schedule by 9/15
2. Etmny/revise Franco design proposal with breakdown for (1) façade (2) master planning (3) parking lot redesign – received and under review – further revision needed/by 9/22
3. Mustafa/Forward demolition package – ~~bid, contact information~~, RFP, Board action /by 9/22
4. Frank/forward Franco contract and invoice file to Tim/ by 9/15
5. Mustafa/Contact City to gain construction staging access to former CRS parcel/ by 9/22/17
6. Mustafa/set up introductory meeting at Councilman Blumenfield office/by 9/19
7. Suat & Frank – clarify remaining budget for new classroom building and site development/ was due 9/8
8. Frank/get ROM cost estimate from friendly GC/by 9/15
9. Frank/ forward contractor names/ by 9/15
10. Tim/issue 30-day excavation notice/by 9/19
11. Tim/revise estimate to complete/by 9/22
12. Tim/contact demolition contractor initiate start date, finalize contract/by 9/22
13. Tim/brief Caprice on Master plan and get guidance for going forward/by 9/22

2017-09-15 Site Master Plan and Third Building discussion

Fence/green barrier

Outdoor recreation or landscaping - artificial turf

Cafegymaterium about 7,000 sf

Fire department turning zone

Middle school 26,251 sf

Student gathering

Area under artificial turf used for on-site drainage and percolation

Outdoor covered area - dining and gathering

Block wall/green barrier next tom residential properties

Parking lot to be simple asphalt so that can be used for recreation

Carpool drop off at street entrances

Parking for both schools - Fit 51 slots here?

Pick-up and Drop-off loop, car staging

High School 25,163 SF

MSA Parking lot separated from neighbor parking lots - no drive across

Approximate Parking requirements: High school - 1/500 sf - Middle school 1/classroom - High school 25,123 SF = 51 slots; Middle school 20 classrooms = 20 slots; Cafegymaterium = 4 classrooms = 4 slots
Total slots = 51+20+4 = 75 slots
30% transit reduction - Net slots = 53 slots.

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Magnolia Science Academy - 1

New High School Classroom Project

Coordination Meeting Minutes



Coordination Meeting Minutes – September 29, 2017

Attendees

Suat Acar, Mustafa Sahin, Etmny Cornejo, Tim Buresh

Discussion & Issues

1. New building and site master plan – discussed agenda items for Facilities Committee - on agenda to discuss – need briefing items ASAP - Franco to have schematic floor plans for 2 alternatives by Wednesday – Tim to have basic package Monday – discussed answers needed: 1. Third building planned for site? 2. Where does new building go? 3. Perimeter treatment? (All 2 impact parking plan and drainage – need answers ASAP.) 4. If a new building, how big and what functions? (Can be finalized later – will require Finance Committee also, and then full Board decision.)
2. Zoning – zoning consultant RFP issued, proposals due today – two are expected – want to make award recommendation Monday – send to Facilities Committee – immediate task will be to adjust zoning variance criteria and issues – secondary task will be to obtain approvals for third building (even if not planned in near term, need to create zoning permission).
3. Zoning – need to prove compliance with Zoning variance conditions – Mustafa gathering documentation for operating issues – Franco gathering documentation for building issues - Tim to address covenant requirement – agreed to use latest Franco striping plan – need letter from Neighborhood Council stating no issues – need letter from Council office stating no issues
4. Design completion – need to submit plan check corrections to LADBS ready to go next week – Franco in with Planning today to discuss treatment of third building and impacts (benefits) on parking – 30-day notice filed – need copy sent to Franco
5. Parking lot design - set up meeting next week with civil engineer to revise parking design – will decide then whether to change plan check submittal, or do port-approval change – final parking lot design changes include: adding landscape zone at residential side – cypress trees along residential border to serve as green screen – add perimeter fence – add block wall at residential side - add trees and night lighting
6. Infiltration – revise infiltration zone at meeting with civil engineer – need to increase capacity to serve both parcels and to capture ponding zone water



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7. Franco change order – need T&M authorizations for striping, zoning compliance presentation, master planning, façade, landscape both parcels, drainage both parcels – to be presented at facilities Committee meeting
8. Demolition – AQMD permit application in – begin asbestos 10/5 – need to clear building by 10/4 – City permit went in last week – could be 30 days to receive – contract in Interior’s hands
9. Cost – need current cost run and invoice status report – need written explanation of revenue sources - gathering cost information, need cost file from Frank –needed to determine what is available for project and for third building – documents being gathered
10. Project status report – draft reviewed and approved
11. Project schedule – 10 month construction schedule standard –cannot start construction until plan check and zoning issues resolved – that date not clear, delaying general contractor bidding earliest construction start date November

Action Items

(Person Responsible/Description/Due Date)

1. Etmny – Franco to complete plan comment responses ASAP and submit to Building Dept – Franco to have conversation with Planning (today) – goal to submit next round by 10/6
2. Etmny/revise Franco design proposal with breakdown for (1) façade (2) master planning (3) parking lot redesign (4) landscape design (5) zoning support / due 9/2
3. Frank/forward Franco ~~contract~~ and invoice file to Tim/ by 9/15
4. Mustafa/Contact City to gain construction staging access to former CRS parcel/ by 9/22/17
5. Mustafa/set up introductory meeting at Councilman Blumenfield office/by 9/19
6. Suat & Frank – clarify remaining budget for new classroom building and site development/ was due 9/8
7. Frank/get ROM cost estimate from friendly GC/by 9/15
8. Tim/revise estimate to complete/by 9/22 – need cost information
9. Tim to send 30-day notice to Franco /by 10/2
10. Mustafa to send zoning compliance materials by 10/4

Cover Sheet

Update on Magnolia Science Academy- San Diego Facility

Section: III. Updates on Facility Projects
Item: C. Update on Magnolia Science Academy- San Diego Facility
Purpose: Discuss
Submitted by:
Related Material: III C MSA SD Facility.pdf

**Magnolia Science Academy San Diego
DeAnza Campus-Progress Report
September 29, 2017**

Ongoing Work

Current work in progress includes finish grading; adjustments for revised site work based on new ramps; layout of site; concrete stairs and walks @ southwest complete; formwork and prep for remainder of sidewalks @ classrooms; pathways and low voltage work including fire alarm systems; building connections; added sewer repair of existing and under restroom plumbing.

Future Work

Future work by GC includes additional fine grade; complete and pour sidewalks; layout, excavate, form and pour curbs @ courts and perimeter of pavers, truncated domes, equipment pad, etc.; excavate and set basketball poles and equipment; install bedding course and pavers throughout site; ac paving @ courts, parking; sealcoats, striping, parking signage, wheel stops; install bike rack, lockers and associated concrete; install irrigation main lines and timer; SDG&E service related work; pull feeders and cabling; complete fire alarm systems and testing; complete ornamental and chain link fencing; install restroom accessories; install building signage; install and test drinking fountains; establishment of temporary / generator power; foundation @ multipurpose upon approved DSA CCD drawings.

Additional work includes installation of ramps by TMP Inc; completion of installation of low voltage systems; completion by SCI modular subcontractor in regards to Admin. Building, and Williams Scotsman in regards to classroom and restrooms; equipment start-up & testing by modular companies.

Onsite IOR from All American Inspections is conducting inspections and scheduling testing as applicable per DSA standards.

The team is coordinating various aspects of the work with three different companies, GC, IOR, DSA, SDUSD, SDG&E to finalize project.

Open Issues

- Removal of WS ramps-Pending-Scheduled for week of October 2, 2017.
 - WS agreed to provide credit for ramps. Deductive change order and letter to be sent to WS pending completion and legal review.
- Relocation of existing MSA office trailer and related work-Pending completion of admin building interior.
- SDGE Install Date and related coordination with electrical service/ installation and gas-Application submitted and accepted, expediting work order.
- Fire Watch as applicable-Creating plan and submitting to DSA for review and approval.
- MPR DSA CCD approval to allow for foundation work immediately-in DSA for review

- Plan for temporary path of travel and protection @ MPR dependent upon progress on foundation.
- Cox Communications upon establishment of power

Schedule

- Large concrete pour on Saturday, September 30, 2017 for walkways, curbs and foundations for ramps.
- TMP to begin installing ramps during the week of October 2, 2017. Two weeks for full installation.
- Furniture move in begins October 4, 2017.
- Target occupancy date for students and staff to occupy is October 30, 2017, with Fire Watch Protocol and temporary power, pending DSA approval.

Project Images



Stairway at front entrance. Admin building in blue.



Flatwork and planting beds at front entrance of school. An accessible ramp will be poured in this area.



Ready for concrete!



Admin building and classrooms are near ready!