



"100 Years of Excellence"

CYPRESS SCHOOL DISTRICT

9470 Moody Street • Cypress, California 90630

November 8, 2011

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www.cypsd.k12.ca.us

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Mayor Leroy Mills
City of Cypress
5275 Orange Avenue
Cypress, California 90630

Dear Mr. Mills:

The purpose of this letter is to express the Cypress School District's concerns regarding comments made by City Council Members during a public forum at the City Council meeting of October 24, 2011. Please also accept this letter as confirmation that the District will be proceeding with the filing of a court action seeking judicial review of the District's contention that Measure D is not applicable to the re-zoning of District properties within City of Cypress boundaries.

Over the course of the last year, the District has had several meetings and discussions with the City regarding the District's goals in how to best utilize our closed school properties. Both parties seemingly agree that there is a question as to whether Measure D applies to District-owned land zoned PS-1A. As a result, the District will seek an opinion from the Superior Court so that this issue can be clarified. Please know that the District's actions are guided by the law, and that we will abide by the decision made by the judge on this issue.

However, the District is concerned by inappropriate and direct comments made by some City Council Members. Specifically, Council Member Luebben's statement that, "there is nobody on this Council that is in favor of developing those schools." We believe this statement to be both biased and premature. We would expect the Council's evaluation of a property reuse or re-zoning would come after an application has been submitted to the City, the City Planning Department has forwarded that application to the Council, and the City Council has the necessary knowledge as to whether the District's demand for re-zoning is supported by the Court decision the District must now seek. Has the City decided to circumvent its own process and reject the District's application before it has been submitted? Taking Council Member Luebben's comments and certain other comments made by other Council Members as a collective whole, the District is left questioning whether the City Council is willing to look at the District's proposed future re-zoning applications with all appropriate consideration and to take the actions necessitated by the District's applications should the District prevail in its court action confirming Measure D inapplicable.

Next, we take issue with Council Member Luebben's statements, "They are not going to listen to you. You can go to all the meetings and speak all you want, but they are not going to listen. They're going to do what they want to do and they are marching down the path of closing those schools." Furthermore, Council Member Luebben's comments about Trustee Blount were mocking and derisive and totally irrelevant in any serious discussion regarding the potential reuse of the District's closed school sites. Equally disrespectful and inappropriate were Council Member Luebben's comments regarding the lengthy tenure of some of the Cypress School

District Trustees. Through this comment, it would appear that Council Member Luebben questions the judgment of the parents and citizens who put their trust in these Trustees by electing them to the Board of the Cypress School District.

The Cypress School District Board of Trustees understands and respects the Council's interest in having parks and open space. That is why the idea and possibility of having a sports park was included in the District's presentation to the City Council earlier this year on February 28, 2011. The Council is aware that the Naylor Act allows the City to acquire portions of District property at 25 percent of its fair market value. Also, the Council is aware that, together, the City and District can enter into a Community Recreation Agreement arrangement that could allow the City to lease District property with relatively minimal capital expense.

Over the course of the last eight months, through numerous meetings, the City has shown no interest or desire indicating it wishes to acquire District property either through purchase or lease. Instead, through these meetings and discussions, the City has made it appear that the 19 parks and four community/civic/senior centers are sufficiently meeting our City's needs. We believe the parks report concluded by the City earlier this year supports this contention. It is disingenuous of the Council to oppose Cypress School District's plan to improve the education for all it's children through the guise of protecting open space, when in fact, the District has offered to work with the City to protect open space as part of its proposed planning related to its properties.

Education is a community endeavor. The Board of Trustees for the Cypress School District believes that by working together with the City, we can better benefit the Cypress students and all community members. Cypress School District stands ready to work cooperatively with the City on any plan that meets the shared goals of both agencies and puts children first.

Sincerely,



Valeri Peters Wagner
Board President



Donna Erickson
Board Vice President



Steve Blount
Board Member



David Giese
Board Member



Brian Nakamura
Clerk of the Board

BH:BB/jb

Cc: City Councilmembers
Mr. John Bahorski, City Manager
Mr. Ted Commerdinger