

**CONTRA COSTA COUNTY BOARD OF EDUCATION**  
**Serving in the Capacity as the County Committee on School District Organization**

**Contra Costa County Office of Education**  
**The Ronald L. Stewart Center**  
**77 Santa Barbara Road, Pleasant Hill, California**

**June 22, 2005**

A Special meeting of the County Committee on School District Organization was called to order at 5:30 p.m. with the recitation of the Pledge of Allegiance.

**ROLL CALL**

Pamela Mirabella, David Krapf, Daniel Gomes, Glenn Ruley, and Daniel Borsuk.

**ABSENT**

None.

**CHAIR**

Daniel Borsuk

**OTHERS**

Ellen Elster, Peggy Marshburn, Judy Parker, Judy McCall, Motoko Nakayama, Wendy Richard, and Laura Dorsey Huerta, County Office of Education staff; Mary Ann Mason, Deputy County Counsel; Sue Pricco; Bryan Richards, Michael Roth, Shawn Niles, and Megan Macy of Lozano-Smith). A partial list of attendees is on file at the County Office of Education.

**PUBLIC COMMENT**

None.

**Notice of Preparation of Draft  
Mitigated Negative Declaration  
on Potential Environmental Impact  
From Transfer of Territory from  
West Contra Costa USD to John  
Swett USD**

Mary Ann Mason, Deputy County Counsel and legal counsel to the County Committee on School District Organization, described tonight's proceedings. She explained that the actions to be taken by the County Committee tonight are procedural only, and the County Committee would not be making any final determination on whether or not to adopt a Mitigated Negative Declaration. She noted that before the County Committee could adopt a Mitigated Negative Declaration, it must provide notice to the public and interested parties that it intends to use a Mitigated Negative Declaration, it must circulate the proposed Mitigated Negative Declaration so that the public and interested parties have an opportunity for review and to provide their comments. This evening, the County Committee will decide whether or not to give a Notice of Preparation of a Draft Mitigated negative Declaration and to circulate the Draft Mitigated Negative Declaration for comment. These documents were prepared by the County Committee's consultant, Dr. Mike Winters. Assuming that the County Committee decides to issue the Notice of Preparation of a Draft Mitigated Negative Declaration and the draft itself, the County Committee's staff will then circulate the documents to the petitioners, the interested districts, the State Clearinghouse on Environmental Documents (because this matter can be appealed to the State), and to the public for comment. By circulating documents, certain timelines will commence for the review of the draft, and the comment period will begin once notice goes out. Interested persons will have until August 15, 2005, to submit comments on the Draft Mitigated Negative Declaration. The County Committee will not decide whether to adopt the Draft Mitigated Negative Declaration before the comment period has closed.

Chairman Daniel Borsuk then opened this matter for public comment. Chief Petitioner Sue Pricco called the County Committee's attention to Item 3 regarding air quality on the environmental checklist. She noted that it spoke to a slight potential for air quality improvement, which she viewed as a positive. She also mentioned that, although a number of items on the Draft Mitigated Negative Declaration appeared to go against the transfer of territory, a lot of those issues would also apply if the transfer didn't occur. As an example, she indicated that Item 1.c., Aesthetics, if either district did not have sufficient facilities to maintain its properties, that would happen whether or not a transfer of territory occurred; and, in fact, especially with JSUSD, they might not have the ability to keep their property up without the transfer of territory. Also, under No. 9, Land Use and Planning, she noted that the statement "the Hercules City permitted residential de-velopment in both districts to their detriment" struck her as bizarre, but she stated that she would

would not comment on that further. Further, she stated that Item “b” referred to unstable fiscal conditions that could happen in one or more districts if the transfer were to occur. However, she noted that this is also one of those instances that if the transfer did not occur, that could cause unstable conditions. Regarding public services, such as the new school facilities for enrollment growth, she reminded the Committee that it is well known that Hercules needs a new school. With regard to the last two items under Mandatory Findings of Significance, she maintained that any of those things could happen whether the transfer of territory occurred or not. Megan Macy of Lozano-Smith, the legal firm representing West Contra Costa Unified School District, also addressed the Committee. She informed the Committee that she was appearing on behalf of the two attorneys working on this matter, who were unavailable this evening; however, they intend to submit comments on the proposed Mitigated Negative Declaration. The Board then voted unanimously to adopt a Notice of Preparation of a Draft Mitigated Negative Declaration on the potential environmental impact from the transfer of territory from the West Contra Costa Unified School District to the John Swett Unified School District (M/S: Ruley/Mirabella).

**Draft Negative Declaration on the Potential Environmental Impact From Transfer of Territory from West Contra Costa USD to John Swett USD**

The County Committee on School District Organization voted to adopt a draft negative declaration on the potential environmental impact from the transfer of territory from the West Contra Costa Unified School District to the John Swett Unified School District (M/S: Ruley/Krapf).

**ADJOURNMENT**

There being no further business, the Special meeting was adjourned at 5:39 p.m.

Ellen Elster, Secretary Designee  
County Committee on School District Organization

These unadopted minutes are summaries and excerpts from the Special meeting of June 22, 2005, and are subject to amendment and/or correction prior to the approval of the County Committee on School District Organization.