

2546 Rolling Hills Ct.
Alamo, CA 94507

September 27, 2022

VIA HAND DELIVERY

City of Watsonville
Watsonville City Council
275 Main Street
Suite 400 (4th Floor)
Watsonville, CA 95076

**Re: City of Watsonville and Ceiba's "Information and Listening Session"
Scheduled for September 29, 2022, at the Civic Plaza**

Dear Members of the Council,

By way of introduction, I am a former resident of Watsonville, and my immediate family resides in Watsonville. I am also a property owner here and a member of a grassroots movement opposed to the Ceiba College Preparatory Academy ("Ceiba") spot zoning application. Last month, I presented material issues to the City Council regarding Ceiba's aggressive expansion plans and purchase of toxic waste properties.

As you know, the Ceiba charter school, located on industrial land along Riverside Drive, is operating under a temporary Use Permit that expires next year. Ceiba was granted that Use Permit in violation of the Watsonville industrial zone regulations and has been an objectionable adverse impact on the adjacent neighborhood since opening.

The Watsonville City Planning Department has formally acknowledged that the school is not a permitted use and, consequently, has not allowed the Use Permit to be modified regarding the expiration. Instead, the Planning Department has guided the school to pursue an amendment to change their industrial zoning to a children's school zoning.

However, in April of this year, the Planning Commission did not approve that amendment due to neighborhood opposition. Watsonville City Staff has been working with the school officials to try and make things appear better before the matter comes before the City Council for a final decision.

As part of that process, it appears that a sort of a governmental meeting, identified as an "information and listening session", has been arranged for this Thursday at the Civic Plaza building. Some households near the Ceiba school have received letters in the mail announcing that meeting. Some stakeholders, like myself, have not. (A copy of the letter is attached). It is unclear what mailing protocol the City used to notify residents.

There are several issues with the planned meeting and the City's letter.

City of Watsonville
Watsonville City Council
September 27, 2022

Despite the fact the letter was sent on official Watsonville City Governmental letterhead of the City Manager's office, the Ceiba School Principal's signature, name and title are at the end of the letter along with those of the City Manager.

The Ceiba Principal, Josh Ripp, is not a Watsonville City Official. Josh Ripp and the Ceiba School are the source of adverse impacts that resulted from the failure of urban planning in the Watsonville City Government. The Watsonville City Government is expected to be the guardian which upholds the public safeguards of the Zoning Code.

Placing the school principal's signature on City Government letterhead blurs the distinction between City Government and Ceiba and thus is deceptive to the public. Such deception is both unseemly and objectionable, particularly for an entity that is expected to be an honest broker of a zoning procedure.

It almost appears that the meeting is intended more for the parents of the Ceiba students to explain the status of the process, which is a valid thing to do. But a question arises as to why the notice was mailed to neighborhood residents who oppose the school operation.

If the meeting is intended for those residents as well, then another issue exists. That letter was distributed and written only in English. No one who reported receiving the letter has received a bi-lingual version with a Spanish translation.

Given that most of the adjacent residents are not English fluent, **this appears to be a serious disservice to them in fairness and transparency of process.**

The Ceiba school was established in the neighborhood through a mass of failed and defective planning procedure. It is notable that defects in your planning procedure regarding Ceiba are still happening now.

I will be reaching out to each of you in the coming weeks to share my ongoing concerns regarding Ceiba.

Sincerely,



Marta J Bulaich

Attachment



City of Watsonville

"A Community of Opportunities"

September 20, 2022

Dear Valued Community Member,

I am reaching out to invite you to an information and listening session for the Ceiba College Prep general plan amendment and rezoning application. The purpose of the meeting is to provide you information on the current status of the process and also to answer your questions. The meeting will be held at the City of Watsonville Community Room located at: 275 Main St. 4th Floor on September 29, 2022 from 6:00 PM to 7:00 PM. Spanish translation and interpreter services will be provided. We will also be providing child care services for children ages 5-10 years old during the duration of the meeting.

The agenda for the meeting is as follows:

- I. Introductions
- II. Intent of the Meeting (Rene Mendez, City Manager)
- III. Status of the Ceiba general plan amendment and rezoning application and next steps (Suzi Merriam, Community Development Director)
- IV. Ceiba College Prep presentation and information (Josh Ripp, Head of School)

I realize that you are probably very busy, but hopefully you are able to carve out some time to attend.

Sincerely,

Rene Mendez
City Manager
City of Watsonville

Josh Ripp
Head of School
Ceiba College Prep

2546 Rolling Hills Ct.
Alamo, CA 94507

October 25, 2022

VIA HAND DELIVERY

City of Watsonville
Watsonville City Council
275 Main Street
Suite 400 (4th Floor)
Watsonville, CA 95076

**Re: City of Watsonville and Ceiba's "Information and Listening Session"
Held on September 29, 2022, at the Civic Plaza**

Dear Members of the Council and Mayor Parker,

At the last City Council meeting, I reported on multiple issues regarding the City of Watsonville and Ceiba Charter School's "Information and Listening Session."

Today, I want to address concerns regarding statements made related to parking. During the meeting, Principal Josh Ripp made a false statement regarding Ceiba's parking capacity. Principal Ripp maintained Ceiba has 81 parking spaces. However, according to Watsonville City Planning documents, Ceiba has only 53 legal parking spaces onsite.

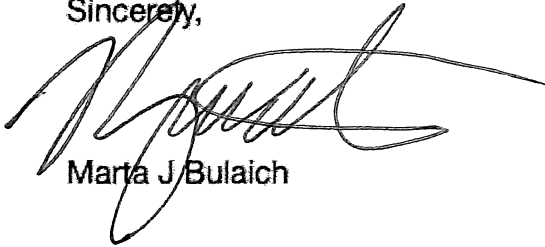
Additionally, Principal Ripp did not address the continuing problem with student parking spillover.

City Planning Department Staff did not provide any corrective comments on those defects and misstatements.

The Hexagon Parking Study cited by Principal Ripp during the meeting also contains false information. Please note this is the same parking study circulated by the City Planning Department to the Planning Commissioners at the April 5th meeting to influence a land use decision. Those issues will ultimately need to be addressed.

These false statements made by Principal Ripp were recited to a public audience of hundreds of people in an event conducted under the official seal of the Watsonville City Government. Watsonville City Government officials had the ability to arrange the information to be presented in an accurate manner. It's a shame they did not.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marta J. Bulaich', with a large, sweeping flourish extending to the right.

Marta J Bulaich

2546 Rolling Hills Ct.
Alamo, CA 94507

November 15, 2022

VIA HAND DELIVERY

City of Watsonville
Watsonville City Council
275 Main Street
Suite 400 (4th Floor)
Watsonville, CA 95076

Re: City of Watsonville and Ceiba Charter School's "Information and Listening Session" Held on September 29, 2022, at the Civic Plaza

Members of the Council,

During the City of Watsonville and Ceiba Charter School's "Information and Listening Session" held on September 29th, Principal Josh Ripp referenced two traffic reports in defense of Ceiba's pursuit of an objectionable zoning change.

Transportation Consultant RBF prepared a report in 2013 to predict traffic impact on the neighborhood. That report predicted acceptable levels of traffic impact and was used to justify approval of the Ceiba use permit. Subsequent information showed that the report was defective and that the actual traffic on Locust and Second Streets was gridlocked.

Transportation Consultant Hexagon prepared a report that was a vehicle, bicycle, and pedestrian traffic count conducted in May 2022.

Relying solely on the contents of the Hexagon report, here are the specific information items from that report for the morning peak hour period on May 10th:

1. 98 automobiles entered Ceiba's campus, and 80 exited.
2. 143 vehicles continued straight on Locust Street without entering Ceiba's campus.

3. No bicycles entered or exited Ceiba's campus.
4. A total of 129 pedestrians crossed Locust Street in the vicinity of the driveway, and 17 pedestrians crossed the Ceiba driveway.

However, the Hexagon report presents no information on how many pedestrians or students actually entered the Ceiba campus.

Josh Ripp sought to establish a comparison of the predictions of the RBF report with the Hexagon study. However, the RBF predictions and methodology were defective, and the Hexagon counts provide incomplete information.

Therefore, Josh Ripp's comparative analysis is not valid.

The defects of the RBF Report will need to be addressed.

In the end, a more thorough and rational set of observed data, as well as a more competent method of analysis than what Ceiba and the City Staff presented, is needed to determine what is really going on with the Ceiba school and the impacts it has on the neighborhood.

Sincerely,



Marta J Bulaich



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

My piece " Support Ceiba's Permit " in the Pajaronian today

Takashi Mizuno <takashimizuno1231@gmail.com>

Thu, Dec 8, 2022 at 1:17 PM

To: "irwin.ortiz@cityofwatsonville.org" <irwin.ortiz@cityofwatsonville.org>

Hi,

It was good to talk with you yesterday.

My piece " Support Ceiba's Permit " was published in the Pajaronian today.

<https://pajaronian.com/letters-to-the-editor-dec-9/>

I have not heard from the person whom you mentioned yesterday. Please forward this mail to him for his reference.

Takashi Mizuno



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

FYR : my piece " Support Ceiba's permit "on 12/9/22 in the Pajaronian

Takashi Mizuno <takashimizuno1231@gmail.com>

Sun, Jan 15, 2023 at 6:51 PM

To: Eduardo Montesino <eduardo.montesino@cityofwatsonville.org>, vanessaquirozcarter@gmail.com, Ari Parker <ari.parker@cityofwatsonville.org>, Jimmy Dutra <jimmy.dutra@cityofwatsonville.org>, maria.orocho@cityofwatsonville.org, krystal.salcido@cityofwatsonville.org, "casey.clark@cityofwatsonville.org" <casey.clark@cityofwatsonville.org>
Cc: citymanager@watsonville.city, cityattorney@cityofwatsonville.org, Suzi Merriam <suzi.merriam@cityofwatsonville.org>, Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Dear the Watsonville City Council members

Some of you may remember that I shared my piece " Support Ceiba's permit " on 12/9/22 in the Pajaronian.

<https://pajaronian.com/letters-to-the-editor-dec-9> , but I did not have a chance to share it with two new members, Councilwoman Kristal Salcido and Councilman Casey Clark. I hope that you can find time to read it.

After my piece was published , I received a heartfelt " thank you " from one of the parents. She tried to express her feelings and emotion in Spanish but she knew that I did not speak Spanish except several expressions such as banyo which I learned from my daughter's TK and Kinder students who started their first year schooling with no English when I helped her classes.

Sincerely

Takashi Mizuno

[Opinion](#)

Letters to the Editor, Dec. 9

By: **GUEST COLUMNISTS** 📅 December 8, 2022

💬 1 👁 472

Grateful for opportunity to run for PVUSD board

With sincere appreciation to my community, CSEA, KSCO and all that supported my candidacy. I would also like to acknowledge the remarkable and tireless support team that unexpectedly pitched-in with help and guidance. Your generous contributions, personal time and belief in a well-needed change was demonstrated by your commitment.

It is noteworthy receiving 35%-plus of voter support and sends a strong message. For many students, parents and teachers, a significant concern is the lack of classroom teachers, a strive for excellence and academic rigors, as well as safety of our students at school. Concerns included some programs to the curriculum that are not core subjects, programs that will continue to dilute a solid education and will not prepare students to successfully enter the world as adults.

The board has a responsibility to listen to the concerns and issues of the 35%-plus voters and develop viable solutions together. I urge parents and voters to attend the monthly school board meetings, hear the issues and questions from employees, parents and students. You can attend by Zoom or in person to understand what is planned for PVUSD, and make your voice heard.

I am truly grateful for the opportunity to run for a seat on PVUSD Board of Trustees.

— *Natalain Schwartz, Watsonville*

Support Ceiba's permit

I am in support of the continuation of Ceiba College Preparatory Academy in the current location on Locust Street. I recently learned from my friend whose daughter has been studying at Ceiba that there would be a possibility of closing Ceiba next academic year. A couple of days later I was at the Watsonville City Council meeting. A woman expressed her concerns about Ceiba. I had a chance to talk with her after the meeting. She said that she was not against Ceiba but she was concerned about the safety of the students due to the closeness of the school to Highway 129.

I had never known about Ceiba previously, so I decided to go and see the safety issues with my own eyes. I saw a driveway in front of and around the school building. I also saw that several staff members managed parents' cars, though several parents parked their cars on the side of Highway 129. I learned that 40% of the current 520 students come to the school on foot. I also had a chance to talk with Mr. Josh Ripp, the principal, and Mr. Mike Rich, Director of Technology. I learned from them that the vote by the City Council to determine whether to give Ceiba a permanent permit has been delayed until early next year. They told me that they looked into many other locations to move to, but other locations were not suitable for one reason or another and that the current location is the best for the students.

Finally, the information below is very meaningful for me as a community member to make up my mind to support Ceiba's permanent permit.

According to Ceiba's website:

- 86% of Ceiba students are economically disadvantaged.
- 95% of Ceiba students are of Hispanic or Latino origin.
- 35% of Ceiba students are English learners.
- Nearly all of Ceiba's students will be the first in their family to go to college and many will be the first in their family to graduate high school.

All the students, their parents, administrators, teachers and staff have been put out on a limb for the past several months. I think that it is time for the new City Council to give Ceiba a permanent permit in the current location on Locust Street.

— *Takashi Mizuno, Watsonville*

2546 Rolling Hills Ct.
Alamo, CA 94507

January 17, 2023

VIA HAND DELIVERY

City of Watsonville
Watsonville City Council
275 Main Street
Suite 400 (4th Floor)
Watsonville, CA 95076

**Re: Release and Settlement Agreement Between the Pajaro Valley Unified
School District (PVUSD) and Ceiba College Preparatory Academy (Ceiba)**

Dear Members of the Council,

In 2013, the Watsonville Planning Commission approved a ten-year temporary conditional use permit, which led to the operation of the Ceiba children's charter school in a heavy industrial zone on State Highway 129 and Locust Street. That land use issue has been controversial ever since and will be arriving at the Council as a zoning amendment agenda item shortly.

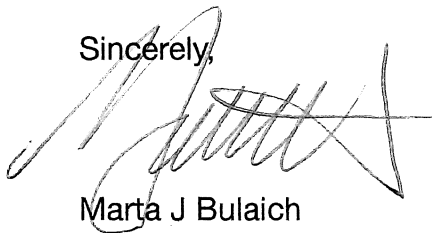
In 2022, I presented citizen reports to the Council documenting problems with that zoning proposal. Today I would like to provide the Council with new information which explains more of the events which led to the approval.

Ceiba had its charter school authorized by the PVUSD in 2008 and requested the district to provide physical facilities for its operation. From this, a dispute arose as to whether the school district was complying with its legal obligations under Proposition 39 to provide facilities to Ceiba. While significant details of this dispute have yet to be determined at this time, what is known is that Ceiba and the PVUSD executed a settlement agreement in 2013 to eliminate the legal claims. (A copy of that settlement agreement is attached).

Under the settlement agreement, the District agreed to loan \$2,000,000 to Ceiba and to be a co-lessee on any property lease that Ceiba would enter into for a facility provided by other entities. In consideration, **Ceiba waived its Proposition 39 rights for publicly provided facilities through the 2023-2024 school year.**

This is the background of events leading up to when Watsonville city government officials made the decision to become involved with Ceiba's quest for educational facilities. At this point, the historical record indicates that a recurring problem of failed public governance arises with the Ceiba charter school. First, the school district appears to have improperly withheld facilities from Ceiba, and then, consequently, Watsonville city government officials violated their zoning code to provide an improvised alternative. The Council should keep this historical perspective in mind as they consider the resolution of the issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marta J Bulaich', written over a horizontal line.

Marta J Bulaich

Attachment

**RELEASE AND SETTLEMENT AGREEMENT
BETWEEN
THE PAJARO VALLEY UNIFIED SCHOOL DISTRICT
AND
CEIBA COLLEGE PREPARATORY ACADEMY**

This Release and Settlement Agreement ("Agreement") is entered into as of May 8, 2013 ("Effective Date") by and between the Pajaro Valley Unified School District ("District"), a California public school district, and Ceiba Public Schools, ("Ceiba" or "Non-Profit"), a nonprofit public benefit corporation operating Ceiba College Preparatory Academy ("Charter School"), a California public charter school operated by Ceiba Public Schools, a nonprofit public benefit corporation in accordance with Education Code section 47604. All references to the Charter School include the Non-Profit. The Charter School and the District are individually referred to herein as "Party" and collectively as "Parties."

- A. The Charter School's charter ("Charter") was initially granted by the District in October 2007, and the Charter School's first year of operation was 2008-2009. The Charter was renewed by the District's Board of Trustees on February 23, 2011 for a five year term, ending on June 30, 2016.
- B. Beginning in November 2007, the Charter School has requested facilities from the District under Proposition 39 (Ed. Code § 47614; Cal. Code Regs., tit. 5, §§ 11969.1-11969.9; "Prop 39"). Since the 2008-2009 school year, the Charter School has occupied facilities provided by the District. The Charter School contends that for each of the school years between 2008-2009 and 2013-2014, the District has not met its obligations under Prop 39. The District disputes the Charter School's contentions regarding the District's compliance with Prop 39.
- C. The Charter School has located a commercial building, located at 260 Riverside Drive, Watsonville, California ("Facility") that the Charter School desires to lease and renovate in order to serve as a long-term facility for the Charter School's programs. The Charter School desires to enter into a long-term lease agreement for the Facility with the owner thereof, with the expectation of completing such renovations and commencing operations of its programs at the Facility by July 31, 2014.
- D. As set forth in this Agreement, the Parties agree to resolve any and all disputes the Parties may have relating to the District's obligations to provide the Charter School with facilities pursuant to Prop 39 up to and including the date of execution of this Agreement, and have further agreed that, in exchange for the commitments and mutual promises outlined herein, the Charter School will waive all of its rights to any District facilities for students attending grades 6-12 at the Charter School pursuant to Prop 39 for ten school years beginning 2014-2015 through the 2023-2024 school year.



NOW, THEREFORE, in consideration of the covenants and conditions of this Agreement, including the recitals hereof, the District and the Charter School hereby agree as follows:

1. District as Co-Lessee. As soon as reasonably feasible following approval by the City of Watsonville of the Charter School's planned use of the Facility, the District and the Charter School shall enter into an agreement for lease of the Facility with the owner thereof ("Lease"). The Lease shall provide that (1) the Charter School shall be primarily responsible for payment of all lease or rental payments for the Facility and any other fees or charges as may become due for the entire term of the Lease; (2) if the Charter School, after an opportunity to cure, defaults on any of its obligations under the Lease, the Charter School's rights under the Lease shall terminate and the District shall assume all of the Charter School's obligations thereunder as sole Lessee; and (3) the District's obligation to act as co-lessee on the Lease shall be limited to a term of ten (10) school years ending June 30, 2023 or whenever the Renovation Funds, as noted in section [6] below, are paid in full by the Charter School, whichever is earlier.
2. District Advance for Renovations. As the co-lessee with greater access to capital funds, the District shall disburse to the Charter School the amount of Two Million Dollars (\$2,000,000) ("Renovation Funds") for the sole purpose of completing such renovations to the Facility as are necessary for the operation of the Charter School's programs at the Facility. Disbursement of the Renovation Funds shall be made pursuant to the "Loan Disbursement Accrued Interest Calculation" set forth at Exhibit A. In no event shall the District be obligated to make a disbursement of Renovation Funds prior to approval by the City of Watsonville of the Charter School's planned use of the Facility, including the Charter School's planned enrollment of 520 students. The Capital Improvement Drawdown Plan also reflects the District's obligation under section 10 hereof to make a payment to the Charter School by July 1, 2013 in the amount of \$160,000. The parties expressly agree that such amount may be satisfied by the waiver of fees and charges payable by the Charter School to the District, including but not limited to the pro rata share charges and utilities charges referenced by section 10. The District shall provide the Charter School with a detailed notice of such waiver of fees in the amount of \$160,000 on or before July 1, 2013.

Each disbursement of Renovation Funds shall be deposited into a "Renovation Account" to be established by the Charter School and maintained by the Santa Cruz Office of Education, County Treasury or a third party bank or financial institution selected by the Charter School. Within thirty (30) calendar days of opening the Renovation Account, the Charter School will provide written notice to the District of the commencement of that account, the type of account, the financial institution or bank and any identifying account numbers. The Charter School shall be solely responsible for any additional funding necessary to cover completion of renovations to the Facility above and beyond the amount deposited by the District in the Renovation Account.



3. Use of Renovation Account. The Charter School shall have exclusive control over, and responsibility for, the disbursement of funds from the Renovation Account. The Charter School shall disburse and expend funds from the Renovation Account solely to fund the costs of the renovation of the Facility and for no other purpose. Periodically, and upon written request, the Charter School will provide the District with an accounting for all funds expended or disbursed from the Renovation Account. All interest earned by the Charter School in the Renovation Account may be used by the Charter School as additional funds towards the costs of the renovation of the Facility.
4. Charter School Obligation for Renovations. Notwithstanding any other obligations of the District under this Agreement, the Charter School shall be solely responsible for completing all renovations to the Facility in accordance with plans and specifications submitted to and approved by the City of Watsonville and any other governmental entity having jurisdiction over the project. Such renovations shall include, but are not limited to construction of all improvements, repairs, replacements, substitutions, and modifications as are necessary for the operation of the Charter School's programs at the Facility. Without limiting the foregoing, the Charter School will be responsible for:
- a. Obtaining all CEQA and other approvals, licenses, and permits required for the renovation of the Facility;
 - b. Preparing a renovation and construction budget and time schedules;
 - c. Selecting, retaining, supervising, and making payments when due to the architect, the general contractor and all other vendors of goods or services relating to the renovation of the Facility;
 - d. Entering into all other contracts necessary or desirable for the renovation of the Facility;
 - e. Obtaining such payment and performance bonds or other assurances of payment and performance as may be necessary or desirable to ensure the timely and lien-free completion of the renovation of the Facility;
 - f. Monitoring the progress of the renovation of the Facility;
 - g. Reviewing and processing applications for payment from the Renovation Account;
 - h. Insuring, securing and maintaining the Facility during the course of renovations and until occupancy of the Facility by the Charter School;
 - i. Renovating the Facility in compliance with all applicable laws and in a condition acceptable for use as public school facilities; and
 - j. Obtaining temporary and final certificates of occupancy for the Facility.
5. Cooperation Between Parties. The District and the Charter School will cooperate with each other with respect to the renovation of the Facility and take reasonable and good faith efforts to assist each other in completing all reports required state or local agencies in connection with the renovation of the Facility or the funding thereof. The District's Maintenance Operations & Facilities Department, as well as other staff, shall assist the Charter School as reasonably necessary to permit the Charter School to carry out the renovations to the Facility.

6. Charter School Reimbursement. As consideration for the District's obligations to the Charter School hereunder, the Charter School agrees to reimburse the District in the total amount of Renovation Funds over ten school years (beginning on July 1, 2014 and ending on June 30, 2024). At least thirty (30) days before each Reimbursement Payment is due, the District shall submit to the Charter School an invoice setting forth the Reimbursement Payment, and reflecting any offset made by the District pursuant to the terms hereof. The first reimbursement payment ("Reimbursement Payment") shall be due on December 1, 2014, and thereafter Reimbursement Payments shall be due in quarterly installments on the first day of each quarter of each fiscal year during the term of the Lease. The outstanding amount of Renovation Funds shall bear interest at a fixed annual rate of 0.84% until the Renovation Funds are repaid in full. A Loan Repayment Schedule is included in Exhibit A. The Charter School may prepay any part of the Renovation Funds obligation without penalty at any time.
7. Late Payments. Except as offset in accordance with the terms hereof, the Charter School's failure to make a Reimbursement Payment on time may cause the District to incur costs not contemplated by the Parties when entering into this Agreement, the exact nature and amount of which would be extremely difficult and impracticable to ascertain. Accordingly, on the fifteenth (15th) day after written notice of a late payment and demand to cure is received by the Charter School, the Charter School may be assessed, by way of damages, a late charge in an amount equal to five percent (5%) of the past due amount. The Parties agree that this late charge represents a fair and reasonable estimate of the costs that may be incurred by the District as the result of a late payment, and the Charter School agrees to immediately pay the late charge. The District's acceptance of late charges will not constitute a waiver of default with respect to the overdue Payment, and will not prevent the District from exercising any other rights available under this Agreement. The Charter School will pay a late charge only once on any late payment.
8. Payments to be Unconditional. Except as expressly provided for in this Agreement, the Charter School shall not be entitled to any abatement, suspension, deferment, reduction, setoff, counterclaim, or defense with respect to any Reimbursement Payment, nor shall the obligations of the Charter School be affected by reason of:
- (a) any failure of the Charter School to complete the renovations necessary for operation of the Charter School's programs at the Facility;
 - (b) any termination of the Lease or breach of warranty or representation by the Charter School with respect to the Facility;
 - (c) any prohibition, limitation, restriction of the Charter School's use, occupancy or enjoyment of the Facility, or any part thereof, or any interference with such use, occupancy or enjoyment by any person for any reason;
 - (d) any default by the Charter School under this Agreement or the Lease;
 - (e) any action for bankruptcy, insolvency, reorganization, liquidation, dissolution or other proceeding relating to or affecting this Agreement or the Charter School;
 - (f) the impossibility or illegality of performance by the Charter School;
 - (g) any action of any governmental authority or any other person;



- (h) the Charter School's acquisition of ownership of all or part of the Facility; or
- (i) Any other cause or circumstance similar or dissimilar to the foregoing, and whether or not the Charter School has notice or knowledge of any of the foregoing.

9. Charter School Security for Reimbursement Payments. As security for its obligation to make Reimbursement Payments hereunder, the Charter School hereby pledges to the District (1) its interest in the Lease; (2) all inventory and equipment purchased with the Renovations Funds; and (3) the annual in lieu property tax funding owed to the Charter School pursuant to Education Code section 47635 received by District on behalf of Charter School and which would otherwise transferred by District to the Charter School in each fiscal year (such pledged amounts, the "Pledged Assets"). In the event of the Charter School's default or closure, the outstanding amount of the Reimbursement Payments, offset as outlined in Section 12 below, shall be satisfied from the Pledged Assets. To the extent not so paid from the Pledged Assets, the outstanding amount of the Reimbursement Payment shall be paid from any other moneys of Charter School lawfully available therefor.
10. Satisfaction of District Prop. 39 Obligations. In satisfaction of its obligations under Prop 39 to provide the Charter School with facilities during such period, beginning with the 2013-2014 school year and continuing through the 2023-2024 school year the District shall owe the Charter School (1) by July 1, 2013, the sum of One Hundred and Sixty Thousand Dollars (\$160,000), and (2) by July 1 of each school year thereafter up to and through 2023-2024, the sum of One Hundred and Fifty Thousand Dollars (\$150,000). Amounts owed to the Charter School by the District hereunder shall be referred to herein as "In Lieu Amounts". The Charter School shall not be obligated to use the In Lieu Amounts to offset lease or rental costs associated with the Facility.

The District and the Charter School have separately entered into a Facilities Use Agreement which calls for the Charter School to pay a pro rata share charge for each of the school years 2011-2012, 2012-2013 and 2013-2014 and a utilities charge for each of the school years 2012-2013 and 2013-2014 school years. The District hereby agrees to waive such charges, and such amounts will be offset against the amount of \$160,000 that the District owes the Charter School under this Section 10 due to the Charter School on July 1, 2013. The parties further agree that the District may satisfy its entire obligation to pay the Charter School \$160,000 by July 1, 2013 by waiving this and other fees and charges payable by the Charter School to the District.

At its sole option, the District may satisfy its obligations with respect to any In Lieu Amount by either (1) waiving payments owed by the Charter School under any agreement between the District and the Charter School, in the total amount of the In Lieu Amount then due; (2) making a cash payment to the Charter School in the total amount of the In Lieu Amount then due; or (3) off-setting the In Lieu Amount then due against any Reimbursement Payment or Reimbursement Payments then due. Any such waiver, cash payment or off-set shall be indicated by the District on its invoice for each Reimbursement Payment.

In consideration of the District's obligations under this Agreement, including but not limited to this section 10, the Charter School hereby agrees not to request additional facilities under Prop 39 for its in-District enrollment in grades 6-12 for each of the ten school years beginning on July 1, 2014 and ending June 30, 2024. If necessary, the Charter School shall be allowed to request facilities for the 2024-2025 school year under Prop. 39 or any other applicable law (with the application for facilities due to the District during the 2023-2024 school year).

11. Suspension of Agreement. If the City of Watsonville approves the Charter School's development of the Facility and occupancy of the Facility by more than 500 students, then this Agreement shall be valid and enforceable. If the City of Watsonville does not approve the Charter School's development of the Facility, or limits occupancy thereof to less than 500 students, then the Agreement shall be deemed suspended for up to thirty (30) days from the date of such action by the City, and the parties shall meet as soon as reasonably possible thereafter and attempt to renegotiate the terms hereof. If the parties cannot reach a satisfactory agreement within thirty (30) days after the City's action, then this Agreement may be terminated by either party on upon fifteen (15) days' written notice.
12. Charter School Default or Closure. In the event that the Charter School defaults under the Lease or voluntarily ceases operations by surrender of its charter, the District's obligation to provide the In Lieu Amounts shall immediately terminate, notwithstanding the fact that any or all Reimbursement Payments remains outstanding. The sum of any Reimbursement Payments outstanding shall be offset by the appraised value of the improvements made by the Charter School to the Facility at the time of the default or closure, minus the remaining lease payments due on the Lease that the District would be obligated to make in order to maintain the Lease (without any renewal of the Lease). In the event that the District revokes or non-renews the charter during the term of this agreement the District's obligation to provide the In Lieu Amounts shall immediately terminate, notwithstanding the fact that any or all Reimbursement Payment remains outstanding. The sum of any Reimbursement Payments outstanding shall be offset by the value of the improvements made by the Charter School to the Facility without credit for the remaining lease payments. In this case, the value of the improvements shall be determined using straight-line amortization with a beginning value of the total cost of all improvements made by the Charter School to the Facility as reflected in the chart in Exhibit A.
13. Enforceability and Interpretation. This Agreement shall be enforceable only following execution by both Parties and ratification or approval by the governing boards of each of the Parties, and execution by the Parties of all of the following additional agreements: (1) a Memorandum of Understanding between the District and the Charter School; (2) a Special Education Services Agreement between Charter School and the District; and (3) a Facilities Use Agreement between the District and Charter School. To the extent that the terms of this Agreement are inconsistent or in conflict with the provisions of any of the

three agreements listed above, the terms of this Agreement shall prevail.


14. Release. Immediately upon execution of this Agreement, the Charter School hereby releases the District, its Board members, officers, employees, agents and attorneys from any and all claims arising prior to and up to the date of this Agreement related to the District's obligations to provide facilities to the Charter School pursuant to Prop 39, and acknowledges and agrees that the Charter School will not pursue any such claims, that the Charter School regards the resolution and settlement of such claims as entirely fair and reasonable, that the Charter School will never claim otherwise to anyone, privately or publicly, now or in the future, and that the Charter School will indemnify and hold harmless the District, its Board members, officers, employees, agents and attorneys from any and all damages, costs, fees or other losses arising from any claims made prior to and up to the date of this Agreement related to the District's obligations to provide facilities to the Charter School pursuant to Prop 39.
15. Waiver of Claims. Each of the Parties acknowledges and agrees that they have read and understood Civil Code Section 1542, which states:

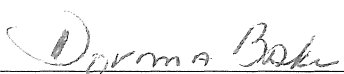
“A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.”

Each of the Parties hereby waives any and all rights they may have under Civil Code Section 1542 with respect to the foregoing release (Section [12]) to the full extent that they may lawfully waive such rights, notwithstanding the discovery of any additional claims or facts which they did not know or suspect to exist in their favor at the time they executed this Agreement.
16. No Admission of Liability. This Agreement effects the settlement of claims which are denied and contested, and nothing contained herein nor any actions taken pursuant hereto shall be offered, admitted or construed as an admission by any Party of any liability of any kind or amount to any other Party.
17. Entire Agreement. This Agreement is intended by the Parties as the final expression of their agreement with respect to such terms as are included herein and as the complete and exclusive statement of its terms and may not be contradicted by evidence of any prior agreement or of a contemporaneous oral agreement, nor explained or supplemented by evidence of consistent additional terms.
18. No Representation or Warranty. Each of the Parties acknowledges no one has made any promise, representation or warranty whatsoever, express or implied, written or oral, not contained herein to induce them to enter into this Agreement, and that this Agreement is not executed in reliance upon any such promise, representation or warranty.



19. Amendment. Each of the Parties acknowledges and agrees that this Agreement may be amended only by a writing signed by all of the Parties.
20. Confidentiality. Each of the Parties agrees that the Parties shall maintain this Agreement and the terms hereof in confidence to the maximum extent permitted by applicable law.
21. Advice of Counsel. Each of the Parties acknowledges and agrees that they have been represented by independent legal counsel of their own choice throughout the negotiation of this Agreement and that they are entering into this Agreement having had sufficient opportunity to investigate the facts and obtain the advice of such counsel.
22. Effectuation of Terms. Each of the Parties agrees to execute and acknowledge such further documents and take such further actions as may be reasonably necessary or appropriate to effectuate the terms of this Agreement.
23. Venue. Any action or proceeding seeking any relief under or with respect to this Agreement shall be brought solely in the Superior Court of the State of California for the County of Santa Cruz, subject to any motion for change of venue.
24. Governing Law. This Agreement shall be governed by and interpreted under the laws of the State of California applicable to instruments, persons, transactions and subject matter which have legal contacts exclusively within the State of California.
25. Dispute Resolution. Any and all disputes regarding this Agreement shall be resolved by the Parties in accordance with the Dispute Resolution provision in the Charter.
26. Communications. All communications regarding this Agreement shall be between the District's Chief Business Officer, or designee, and the Chief Executive Officer of Ceiba, or designee.

By: 
Tom Brown, President
Ceiba Public Schools, Inc.
District

By: 
Dorma Baker, Superintendent
Pajaro Valley Unified School

Date: May 29, 2013

Date: 5-23-13

Exhibit A
Loan Disbursement Accrued Interest Calculation

5/6/13

Original Loan Amount: \$2,000,000

Quarterly Prin & Interest Pmt: (\$52,722.14)

APR: 0.84% N: 40

<u>Pmt</u>	<u>Description</u>	<u>PVUSD Loan</u>	<u>Ceiba Disb</u>	<u>APR</u>	<u>From</u>	<u>To</u>	<u>Beg Bal</u>	<u>Interest</u>	<u>Scheduled Pmts</u>	<u>End Bal</u>	<u>Prin</u>
	CUP Application / Pre-Dev		\$ 5,728								
	Traffic & Student Safety Studies		\$ 12,259								
	Design Feasibility		\$ 19,179								
M-13	Lease Deposits & Fees		\$ 41,359								
J-13	Design/Const Agree & Permitting	\$2,000,000	\$ 64,800	0.840%	6/10/13	7/1/13	\$2,000,000	\$967	\$0.00	\$2,000,967	\$0
J-13	Planning, Programming & Design Stds		\$ 216,000	0.840%	7/1/13	8/1/13	\$2,000,967	\$1,428	\$0.00	\$2,002,394	\$0
A-13	Design & Mgmt Fees		\$ 43,200	0.840%	8/1/13	9/1/13	\$2,002,394	\$1,429	\$0.00	\$2,003,823	\$0
S-13			\$ -	0.840%	9/1/13	10/1/13	\$2,003,823	\$1,383	\$0.00	\$2,005,206	\$0
O-13			\$ -	0.840%	10/1/13	11/1/13	\$2,005,206	\$1,431	\$0.00	\$2,006,637	\$0
N-13			\$ -	0.840%	11/1/13	12/1/13	\$2,006,637	\$1,385	\$0.00	\$2,008,022	\$0
D-13	Procurement of Long Lead Items		\$ 216,000	0.840%	12/1/13	1/1/14	\$2,008,022	\$1,433	\$0.00	\$2,009,455	\$0
J-14	Subcontractor Buyout		\$ 324,000	0.840%	1/1/14	2/1/14	\$2,009,455	\$1,434	\$0.00	\$2,010,888	\$0
F-14	Mobilization & General Conditions		\$ 432,000	0.840%	2/1/14	3/1/14	\$2,010,888	\$1,296	\$0.00	\$2,012,184	\$0
M-14				0.840%	3/1/14	4/1/14	\$2,012,184	\$1,436	\$0.00	\$2,013,620	\$0
A-14	Demolition and Utilities		\$ 324,000	0.840%	4/1/14	5/1/14	\$2,013,620	\$1,390	\$0.00	\$2,015,010	\$0
M-14	Utilities, Exteriors, Interiors		\$ 216,000	0.840%	5/1/14	6/1/14	\$2,015,010	\$1,438	\$0.00	\$2,016,447	\$0
J-14	Site Work		\$ 216,000	0.840%	6/1/14	7/1/14	\$2,016,447	\$1,392	\$0.00	\$2,017,840	\$0
J-14	Equipment (Prog, Data/Comm, Sec)		\$ 610,000	0.840%	7/1/14	8/1/14	\$2,017,840	\$1,440	\$0.00	\$2,019,279	\$0
A-14	Commissioning / Closeout		\$ 423,022	0.840%	8/1/14	9/1/14	\$2,019,279	\$1,441	\$0.00	\$2,020,720	\$0
S-14	Project Total		<u>\$ 3,163,547</u>	0.840%	9/1/14	12/1/14	\$2,020,720	\$4,232	\$0.00	\$2,024,952	\$0

Exhibit A
Loan Repayment Schedule

5/6/13

After Repmt #	10YrSL DeprecAsset Value		From	To	Beq Bal	Interest	Pmts	Loan End Bal	Prin	
	A							B		
1	Depreciated Asset Value (10ySL)	\$3,084,458	0.840%	12/1/14	3/1/15	\$2,024,952	\$4,085	(\$52,722.14)	\$1,976,314	\$48,637
2		\$3,005,370	0.840%	3/1/15	6/1/15	\$1,976,314	\$4,073	(\$52,722.14)	\$1,927,665	\$48,649
3		\$2,926,281	0.840%	6/1/15	9/1/15	\$1,927,665	\$3,970	(\$52,722.14)	\$1,878,913	\$48,752
4		\$2,847,192	0.840%	9/1/15	12/1/15	\$1,878,913	\$3,824	(\$52,722.14)	\$1,830,015	\$48,898
5		\$2,768,104	0.840%	12/1/15	3/1/16	\$1,830,015	\$3,722	(\$52,722.14)	\$1,781,015	\$49,000
6		\$2,689,015	0.840%	3/1/16	6/1/16	\$1,781,015	\$3,659	(\$52,722.14)	\$1,731,952	\$49,063
7		\$2,609,926	0.840%	6/1/16	9/1/16	\$1,731,952	\$3,555	(\$52,722.14)	\$1,682,785	\$49,167
8		\$2,530,838	0.840%	9/1/16	12/1/16	\$1,682,785	\$3,414	(\$52,722.14)	\$1,633,477	\$49,308
9		\$2,451,749	0.840%	12/1/16	3/1/17	\$1,633,477	\$3,274	(\$52,722.14)	\$1,584,029	\$49,448
10		\$2,372,660	0.840%	3/1/17	6/1/17	\$1,584,029	\$3,242	(\$52,722.14)	\$1,534,549	\$49,480
11		\$2,293,572	0.840%	6/1/17	9/1/17	\$1,534,549	\$3,137	(\$52,722.14)	\$1,484,964	\$49,585
12		\$2,214,483	0.840%	9/1/17	12/1/17	\$1,484,964	\$2,999	(\$52,722.14)	\$1,435,241	\$49,723
13		\$2,135,394	0.840%	12/1/17	3/1/18	\$1,435,241	\$2,864	(\$52,722.14)	\$1,385,383	\$49,859
14		\$2,056,306	0.840%	3/1/18	6/1/18	\$1,385,383	\$2,822	(\$52,722.14)	\$1,335,482	\$49,901
15		\$1,977,217	0.840%	6/1/18	9/1/18	\$1,335,482	\$2,716	(\$52,722.14)	\$1,285,476	\$50,006
16		\$1,898,128	0.840%	9/1/18	12/1/18	\$1,285,476	\$2,582	(\$52,722.14)	\$1,235,336	\$50,140
17		\$1,819,040	0.840%	12/1/18	3/1/19	\$1,235,336	\$2,449	(\$52,722.14)	\$1,185,063	\$50,273
18		\$1,739,951	0.840%	3/1/19	6/1/19	\$1,185,063	\$2,397	(\$52,722.14)	\$1,134,738	\$50,325
19		\$1,660,862	0.840%	6/1/19	9/1/19	\$1,134,738	\$2,291	(\$52,722.14)	\$1,084,307	\$50,431
20		\$1,581,773	0.840%	9/1/19	12/1/19	\$1,084,307	\$2,160	(\$52,722.14)	\$1,033,745	\$50,562
21		\$1,502,685	0.840%	12/1/19	3/1/20	\$1,033,745	\$2,055	(\$52,722.14)	\$983,078	\$50,668
22		\$1,423,596	0.840%	3/1/20	6/1/20	\$983,078	\$1,970	(\$52,722.14)	\$932,325	\$50,752
23		\$1,344,507	0.840%	6/1/20	9/1/20	\$932,325	\$1,862	(\$52,722.14)	\$881,466	\$50,860
24		\$1,265,419	0.840%	9/1/20	12/1/20	\$881,466	\$1,736	(\$52,722.14)	\$830,479	\$50,987
25		\$1,186,330	0.840%	12/1/20	3/1/21	\$830,479	\$1,611	(\$52,722.14)	\$779,368	\$51,111
26		\$1,107,241	0.840%	3/1/21	6/1/21	\$779,368	\$1,538	(\$52,722.14)	\$728,184	\$51,184
27		\$1,028,153	0.840%	6/1/21	9/1/21	\$728,184	\$1,430	(\$52,722.14)	\$676,892	\$51,292
28		\$ 949,064	0.840%	9/1/21	12/1/21	\$676,892	\$1,307	(\$52,722.14)	\$625,477	\$51,415
29		\$ 869,975	0.840%	12/1/21	3/1/22	\$625,477	\$1,186	(\$52,722.14)	\$573,941	\$51,536
30		\$ 790,887	0.840%	3/1/22	6/1/22	\$573,941	\$1,104	(\$52,722.14)	\$522,323	\$51,619
31		\$ 711,798	0.840%	6/1/22	9/1/22	\$522,323	\$994	(\$52,722.14)	\$470,595	\$51,728
32		\$ 632,709	0.840%	9/1/22	12/1/22	\$470,595	\$875	(\$52,722.14)	\$418,748	\$51,847
33		\$ 553,621	0.840%	12/1/22	3/1/23	\$418,748	\$758	(\$52,722.14)	\$366,784	\$51,964
34		\$ 474,532	0.840%	3/1/23	6/1/23	\$366,784	\$665	(\$52,722.14)	\$314,727	\$52,057
35		\$ 395,443	0.840%	6/1/23	9/1/23	\$314,727	\$555	(\$52,722.14)	\$262,559	\$52,167
36		\$ 316,355	0.840%	9/1/23	12/1/23	\$262,559	\$439	(\$52,722.14)	\$210,277	\$52,283
37		\$ 237,266	0.840%	12/1/23	3/1/24	\$210,277	\$330	(\$52,722.14)	\$157,884	\$52,392
38		\$ 158,177	0.840%	3/1/24	6/1/24	\$157,884	\$223	(\$52,722.14)	\$105,385	\$52,499
39		\$ 79,089	0.840%	6/1/24	9/1/24	\$105,385	\$112	(\$52,722.14)	\$52,774	\$52,611
40		\$ (0)	0.840%	9/1/24	12/1/24	\$52,774	\$0	(\$52,774.14)	\$0	\$52,774

2546 Rolling Hills Ct.
Alamo, CA 94507

February 7, 2023

VIA HAND DELIVERY

City of Watsonville
Watsonville City Council
275 Main Street
Suite 400 (4th Floor)
Watsonville, CA 95076

**Re: Dangerous Condition at Highway 129 and Locust Street Relating to
Ceiba College Preparatory Academy Student Drop-Off and Pick-up**

Dear Members of the Council,

Last month, I shared how Ceiba College Preparatory Academy (Ceiba) was placed in an industrial zone along State Highway 129. Today, I want to show a photo of the result of this decision. Here you can see Ceiba students being dropped off along the highway shoulder, while heavy truck traffic passes by.



What is troubling is that everyone knows this is dangerous.

Here's a timeline:

1. In April 2019, Ecology Action and Ceiba presented a Safe Routes to School update citing heavy traffic and unsafe crossings on Walker Street and Highway 129. Seven months later, two Ceiba students were injured in a crosswalk on Walker Street.
2. In March 2020, the City of Watsonville Complete Streets to School Plan (pages 36 and 37) highlighted hazards on Highway 129.
3. In September 2021, Principal Josh Ripp informed his board that Ceiba requested an address change partially because the highway was dangerous.
4. In March 2022, Ripp wrote to Assistant Director/ City Engineer Public Works and Utilities Department Maria Esther Rodriguez, citing concerns about placing a crosswalk along a state highway "where cars travel 55+ mph".
5. In August 2022, even Ceiba's real estate broker, Elizabeth Sanborn Falcon, instructed Ripp to tell parents not to drop off children on Riverside Drive.
6. The National Safe Routes to School Organization in Washington D.C. does not recommend dropping off students on this section of the state highway, where speeds average 45 mph. The organization maintains that "what's safest for pedestrians is to not mix with motor vehicles at all and when there is mixing, 20 mph speed limits."
7. Ecology Action, which compiled the Complete Streets to School report, does not recommend dropping off students on this section of the state highway.

Yet, Ripp maintains parents have "the prerogative" to drop off and pick up students on a state highway shoulder. That highway shoulder was never intended to accommodate a neighboring school's traffic and parking overflows caused by inadequate site capacity.

The Watsonville Planning Department refuses to verify that Ceiba's use of the highway for student loading is safe and appropriate, but it does encourage such use.

Although the Pajaro Valley School District (PVUSD) is the jurisdictional authorizer of Ceiba, the District refuses to acknowledge the danger of the situation.

Although the Santa Cruz County Board of Education has oversight authority of both Ceiba and the PVUSD, that Board chooses to remain uninvolved and does nothing.

Ceiba currently has a marginal Safe Routes to School plan. That plan does not even mention Highway 129, let alone designate the highway as a safe route or a pick-up or drop-off area. Nonetheless, Principal Ripp illegitimately claims the Ceiba Safe Routes to School Plan as justification for use of Highway 129. In addition, the Ceiba Safe Routes to School Plan instructs parents not to park on Locust Street and to use a circulation loop, which its own traffic consultant acknowledged was used less than adjacent roadways.

Scattering student traffic across an industrial zone and highway for the purpose of creating the illusion of zoning compliance is illegitimate urban planning. Even worse, such action is reckless and negligent since it places students in significant danger.

The City of Watsonville ranks dead last amongst cities for injuries and fatalities among pedestrians under the age of 15, and 4th worst for pedestrians overall. The preceding information I just provided to you gives a clue as to why that is.

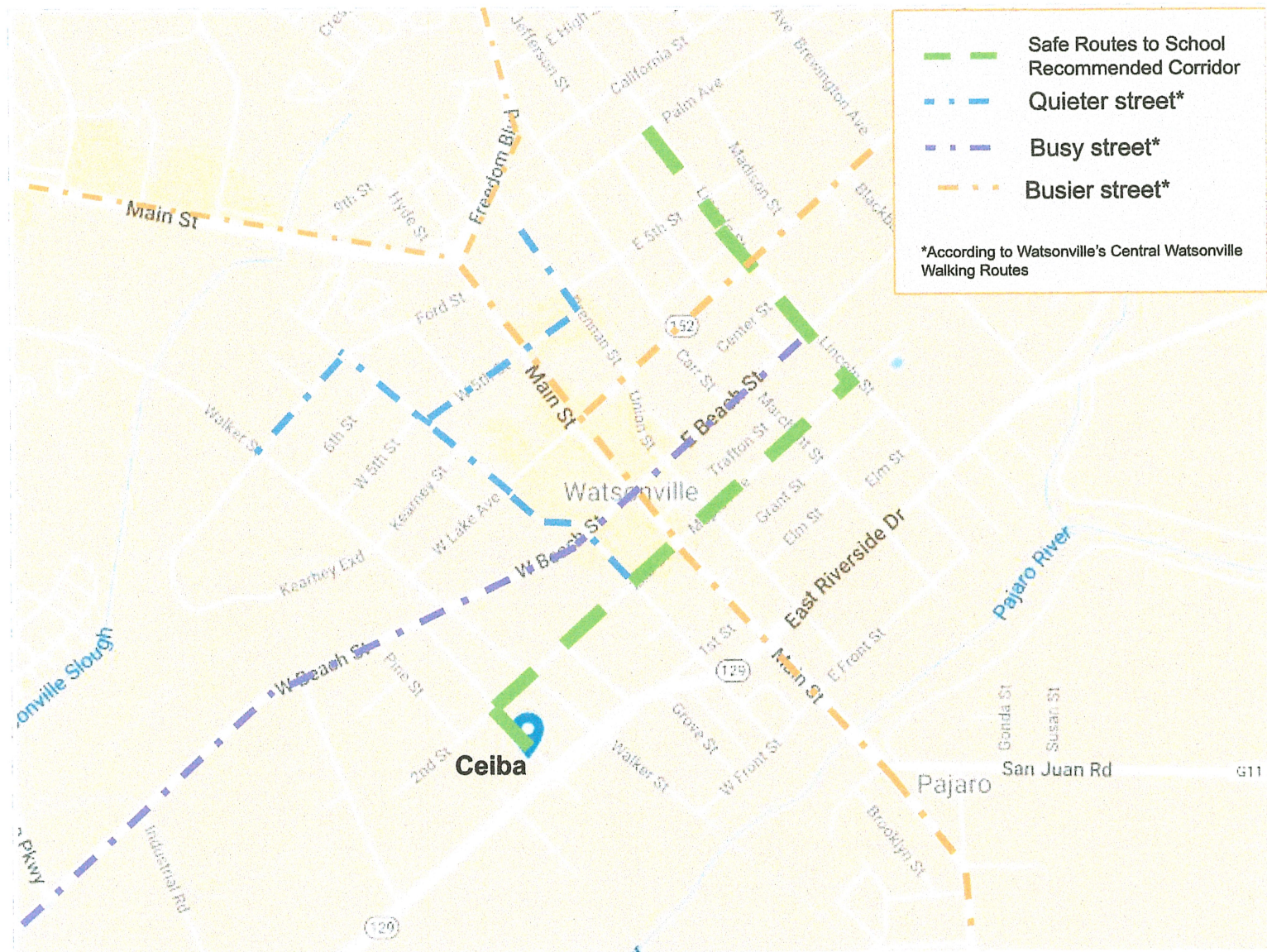
Sincerely,



Marta J Bulaich

Attachments

1. Ceiba Safe Routes to School Map
2. Ceiba Traffic Guidance/Drop-off and Pick-up Procedures
3. The Impact of Traffic Violence on the City of Watsonville



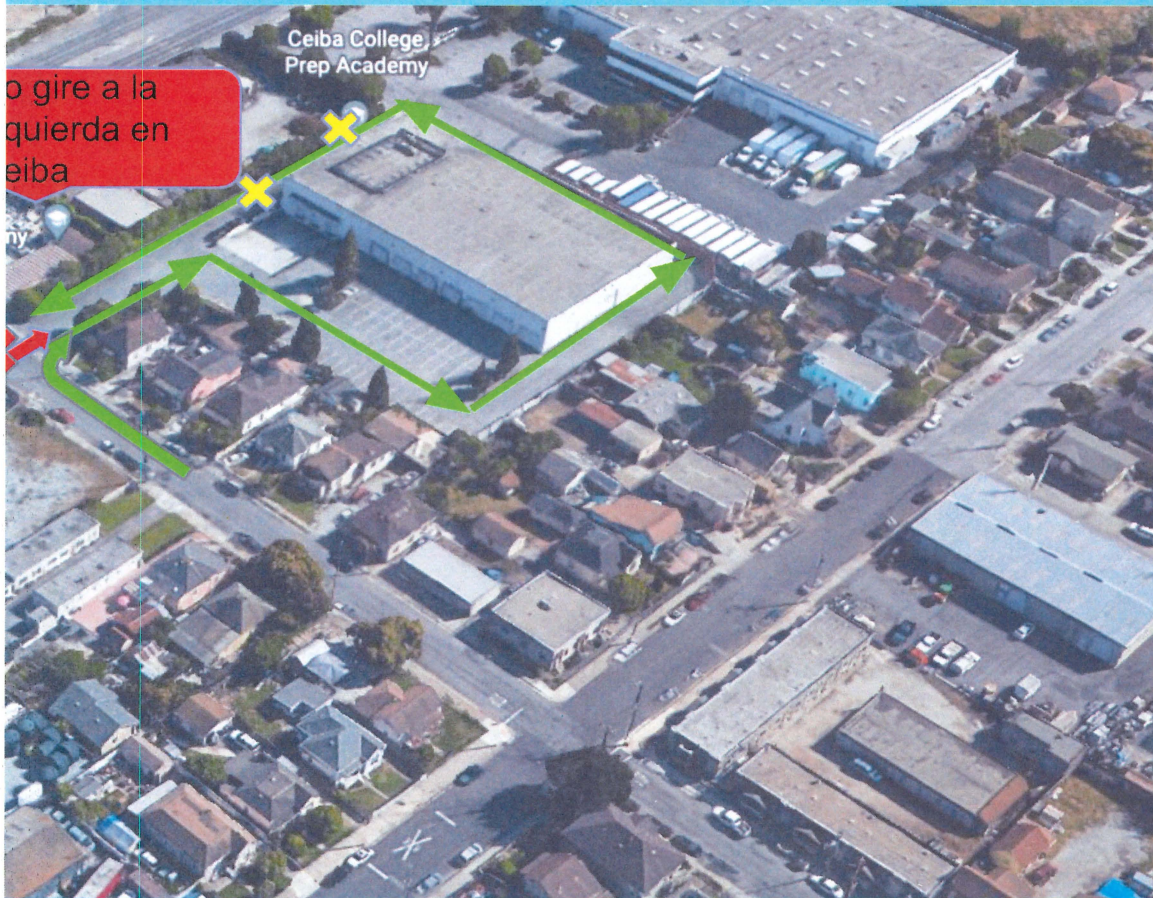
Ceiba Drop-off and Pick-up Procedures



Student Pick-Up and Drop-Off :

- ✗ Please pick-up/drop off on the **SOUTH** side of the building
- Please **do not double park** (Do not park next to a parked car on Locust St or any other street)
- Please be respectful of our neighbors, let them exit their driveways and businesses as necessary
- Please do not drop your students off on Locust St
- ✗ Do not turn left into Ceiba's driveway or on to Riverside

Procedimientos de entrega y recogida de alumnos de Ceiba



Recogida y entrega de estudiantes:



- Por favor, recoja y deje a los estudiantes en el lado sur del edificio.
- Por favor, no aparcar en doble fila (no aparcar al lado de un coche aparcado en la calle Locust o cualquier otra calle)
- Por favor, sea respetuoso con nuestros vecinos, déjelos salir de sus entradas y negocios cuando sea necesario
- Por favor no deje a sus estudiantes en la calle Locust



- No gire a la izquierda en la entrada de Ceiba o en Riverside

The Impact of Traffic Violence on the City of Watsonville



Primary Collision Factors

Two factors are 3x more likely to cause crashes in the City of Watsonville than any other factor:

- **Unsafe speed**
(26.4% of all crashes)
- **Right of way violations**
(29.5% of all crashes)



What does it take to become a Vision Zero City?

The first step is for a city council or county board of supervisors to make a public commitment to preventing all roadway deaths and life altering injuries.

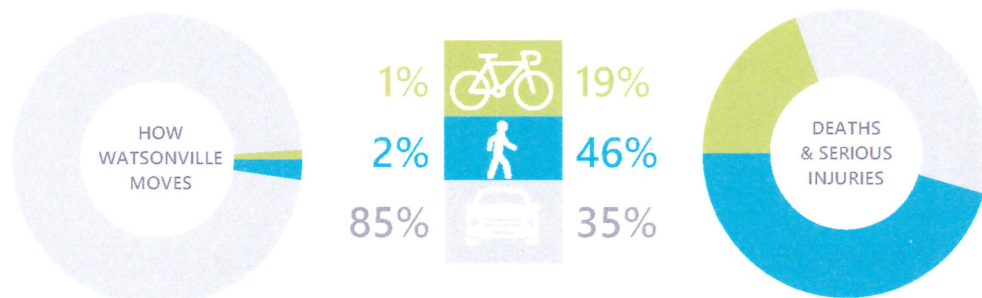
How Watsonville Compares

Watsonville ranks **1st WORST** for injuries and fatalities among pedestrians under the age of 15, and **4th worst** for pedestrians overall.*

*When compared to 105 California cities of similar size, 2014 OTS Rankings

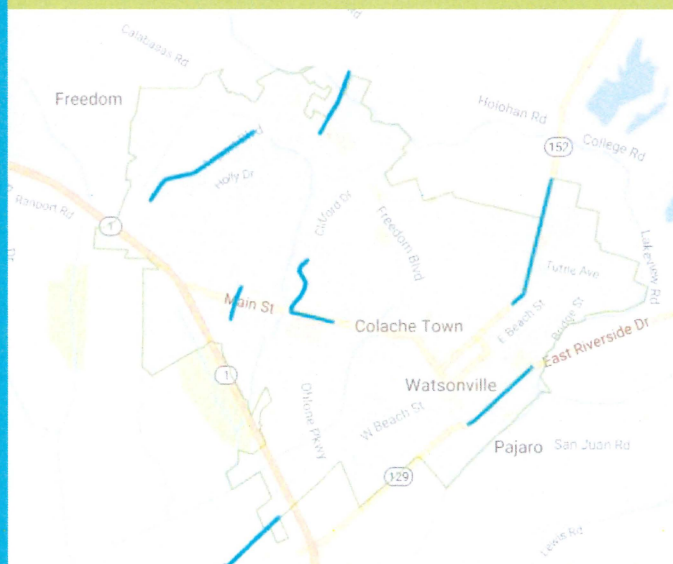


Watsonville Travel Mode vs. Traffic Deaths & Serious Injuries



Source: ACS 5-year estimates, Commute Mode age 16+; CHP SWITRS 2010-2014

High-Injury Corridors



All of these streets are in low-income neighborhoods.

30%
of fatal & serious
injury crashes occur on
2 miles
(2.2%) of city streets.

An additional **25%**
of fatal & serious
injury crashes occur on
1.9 miles
of the State highways
within city limits.



City Council <citycouncil@cityofwatsonville.org>

Ceiba rezoning

David Ray <davidray1001@gmail.com>
To: citycouncil@cityofwatsonville.org

Fri, Feb 10, 2023 at 12:12 PM

Greetings,

I am a teacher at Ceiba Charter School. Ceiba is currently on schedule to be voted on for a rezoning (to ensure it can endure as a provider for these students).

I would like to share that it is my first year here at this school and I'm very honored to work with my colleagues here and support this student body. I believe the unique offerings of this school (smaller class size, uniforms, higher academic expectations) are of great utility to this community. The students I work with are motivated to become more in their life. They are encouraged to be creative, organized, determined, and authentic. I know you are very busy and there are other voices speaking up in this debate but I would be happier to share why I believe Ceiba is such a beneficial asset for the youth of Watsonville.

All best,
David Ray
831-236-3519

From: **William Farr** <wfarr@cruzio.com>

Date: Mon, Feb 13, 2023 at 1:47 PM

Subject: Ceiba Charter School

To: <citycouncil@cityofwatsonville.org>, <cityclerk@cityofwatsonville.org>

I am writing you to urge your continued support of the Ceiba Charter School at 215 Locust Street. It is my understanding that one family, which owns a number of rental properties in the neighborhood is trying to shut down the school by complaining about traffic congestion during the morning and afternoon commute and portraying the students as bad community members. The complaint is asking you to remove the schools zoning waiver which would kill the school as they don't have the funds to relocate and start over.

The traffic issues at this school are no different than the congestion you will find at any other school in the city during drop off and pick up times, in my opinion it's less of a problem than at other schools. I routinely pickup our grandchildren from three schools. This school has gone above and beyond anything that the District does at other schools in the city. The school staff are monitoring the students behavior when transiting thur the neighborhood. My observations show me that the students are well behaved young people.

My understanding is that the people who live in this neighborhood have been asked by the school if they have any issues with the school and that the neighbors have indicated that they have no complaints, problems, or concerns about this school.

This is a college preparatory school serving a largely Hispanic student body. Revoking or not renewing their waiver will permanently close the school and disenfranchise approximately 520 children of the opportunity of a quality education and a shot at future success.

I ask you to support Ceiba Charter School, an asset to our community, and the students, parents, and teachers striving to make a brighter future for these future leaders of our community.

Sent from my iPad

From: **Jennifer Fernandez** <jennifer008@sbcglobal.net>

Date: Wed, Feb 15, 2023 at 1:27 PM

Subject: Ceiba College Prep

To: <citycouncil@cityofwatsonville.org>, <cityclerk@cityofwatsonville.org>, <citymanager@cityofwatsonville.org>, <ari.parker@cityofwatsonville.org>, <Jlmmmy.dutra@cityofwatsonville.org>, <casey.clark@cityofwatsonville.org>, <kristal.salcido@cityofwatsonville.org>, <maria.orozco@cityofwatsonville.org>, <vanessa.quiroz@cityofwatsonville.org>, <eduardo.montesino@cityofwatsonville.org>

I am writing you to urge your continued support of the Ceiba Charter School at 215 Locust Street. It is my understanding that one family, which owns a number of rental properties in the neighborhood is trying to shut down the school by complaining about traffic congestion during the morning and afternoon commute and portraying the students as bad community members. This however is not true.... These students are monitored by several parent volunteers as well as school staff. The students are well behaved and respectful. Ceiba works with their students to teach them Academics but also has a huge emphasis on manners as well as emotional support.

I have less traffic issues at Ceiba than any other school I've experienced. Ceiba staff have been pro active to reduce the traffic and it shows. Any complaint set forth has been resolved or worked on.

My daughter is a 6th grader at Ceiba and has benefited hugely from her experience so far. She still has the rest of middle school and high school to go. Closing down our school would be a huge disappointment and set back for my daughter as well as the other students. My daughter is an honor roll student along with many of her classmates. My daughter loves going to school and I don't want that taken away from her. These kids are so motivated to get good grades and excel in school. I find it very disheartening that someone in this community wants to take this away from these children.

And then what? The kids lose their motivation, they lose the help and resources they are getting to become well mannered educated adults. To me the closure of our school will not help the community it will damage our community and the future of it. It really just can't understand this..... I'm at a loss for words.

This school has gone above and beyond anything that the District does at other schools in the city. The school staff are monitoring the students behavior when transiting thru the neighborhood.

From what I know people who live in this neighborhood have been asked by the school if they have any issues with the school and that the neighbors have indicated that they have no complaints, problems, or concerns about this school.

Revoking or not renewing their waiver will permanently close the school and disenfranchise approximately 520 children of the opportunity of a quality education and a shot at future success. Please look at the bigger picture and consider how this school has made so many lives better.

I ask you to support Ceiba Charter School, an asset to our community, and the students, parents, and teachers striving to make a better world for these future leaders of our community.

Sincerely
Jennifer Fernandez

305 Second Street
Watsonville, CA 95076
February 15, 2023

Watsonville City Council
275 Main Street, Suite 400 (4th Floor)
Watsonville, CA 95076

**re: School Land Analysis: Ceiba School Zoning Amendment.
Agenda Item-Watsonville City Council February 28, 2023.**

Dear Council Members:

Coming soon before the Council will be the issue of the Ceiba College Preparatory Academy ("Ceiba") seeking to get a General Plan Map Amendment and Zoning Map Amendment, and approval of Special Use Permit in order for Ceiba to be able to permanently operate at their current temporary site at 215 Locust Street.

Construction of schools usually involves a lengthy and complicated process. Just some of the areas that need to be addressed are as follows: land size, site location, applicable Zoning and General Plan regulations, traffic, parking, compatibility, and environment.

Within the Watsonville City limits are numerous schools that are in the jurisdiction of the Pajaro Valley Unified School District ("PVUSD"). I am fairly certain that all of the Council Members are aware of the locations of these schools and have driven by them. There is at least one PVUSD school in each City Council District.

In order to show the gross irresponsibility of approving the permanent status for Ceiba onto a small Industrial Zoned lot, I will provide comparison information of lot sizes and other items between Ceiba and various PVUSD schools. For this discussion, I have focused on fourteen different PVUSD schools located within the City limits which include Elementary, Middle and High Schools. Those schools are as follows:

Ann Soldo Elementary
Cesar E. Chavez Middle School
E.A. Hall Middle School
Freedom Elementary School
H.A. Hyde Elementary School
Landmark Elementary School
Linscott Charter

Mintie White Elementary School
Pajaro Valley High School
MacQuiddy Elementary School
Radcliff Elementary School
Rolling Hills Middle School
Starlight Elementary
Watsonville High School

All of these schools have ample parking (whether by onsite or by using lengthy street site frontages), sports' fields, asphalted basketball courts or striped play areas for other outdoor sport related activities. The Middle and High schools have gymnasiums with Watsonville High having a large swimming pool.

Ceiba is a combination Middle and High School (Grades 6-12) on an Industrial Zoned lot. It does not have a gymnasium, or a swimming pool, or any sports' fields. The site has an inadequate amount of parking spaces as required by the City's Municipal Code and has no street frontage whatsoever (other than driveways).

For some of Ceiba's outdoor activities, a small asphalted area, which was originally designated as parking spaces and a fire lane on the building plans of the project when first constructed, is used for such activities.

Ceiba wants the formerly designated parking spots that are in their current play area to be counted as parking spots toward the City's Municipal Code required amount of parking spots for their school site. Thus, the play area needs to have a dual purpose as a play area and parking/fire lane. This is bad planning and needs to be avoided.

Returning to the earlier mentioned PVUSD schools that are within the City limits, I have prepared a spreadsheet (Attachment "A") to show the inadequately sized lot for a school of the student enrollment size of Ceiba (estimated 511 students for 2021-21 school year) compared to other PVUSD schools.¹

The attached spreadsheet lists the land acreage for each school.² Each land acreage figure was multiplied by 43,560 square feet (number of square feet in an acre of land) to obtain a total square footage of land area for each school. The total square footage of land area was divided by the number of students at each school to get an average amount of land per student for each school. These figures clearly show a significant lack of land at the Ceiba site compared to the cited PVUSD schools in the City.

For ease of reading, the total square footage of land for each school and square footage of land per student has been rounded off to the nearest whole number.

As shown in the spreadsheet, Ceiba has the lowest amount of land per student with only 179 square feet of land per student. To put it in a perspective that is easy to relate to, this amount of space is about the same of a medium sized bedroom in a house.

The two schools that are closest to Ceiba's extremely low square feet of land per student are Linscott Elementary (293 square feet per student) and Radcliff Elementary (355 square feet per student). Both are very old schools with Linscott constructed in 1928 and Radcliff in 1917.³

¹ All enrollment figures for schools are from the 2021-22 school year and were obtained from: <http://www.ed-data.org/district/Santa-Cruz/Pajaro-Valley-Unified>

² All PVUSD school land acreage figures were obtained from the PVUSD 2011 Site Facility Book found at: <https://www.pvUSD.net/Departments/Business-Services/Maintenance-Operations-and-Facilities/PVUSD---2011-Site-Facility-Book/index.html> The square footage for Ceiba was obtained from the City of Watsonville "Agenda Report" to the Watsonville Planning Commission from April 5, 2022.

³ See pages 23-24: <https://www.cityofwatsonville.org/DocumentCenter/View/3955/City-of-Watsonville-Historic-Context-Statement-2007>

It is important to note that during the time of the opening of these two schools, the automobile was not used to such a degree as today so not as much onsite parking was needed as compared to our current hyper-intensified automobile culture.

In addition, Linscott was built for children “assimilating from farm labor communities across the nearby Pajaro River” and Radcliff “was built to serve a growing population on the west side of town.”⁴ Obviously both of these schools were neighborhood schools in which children would have walked to either school because of the close proximity of their residents to the schools. This is a huge difference when compared to Ceiba. With tiny adjacent population and massive automobile flow, Ceiba does not operate as a neighborhood school.

In respect to the schools that are comparable to Ceiba (Middle or High), the nearest one is Watsonville High School with 655 square feet per student. This is almost four times the amount of land area per student than that of Ceiba. As with Linscott and Radcliff, it is of importance to point out that Watsonville High is an old school. Although the school building was rebuilt after the 1989 earthquake, the school has been at its current site for well over 100 years. Meanwhile, Pajaro Valley High which was built in 2003 has 935 square feet of “usable land” per student which is more than five times the amount of land per student as that of Ceiba.⁵

Furthermore, of the fourteen cited PVUSD schools, ten of them were originally built over 50 years ago when different building codes and standards would have been in place.⁶ All of the four newer schools (Ann Soldo-1999; Landmark-2003; Pajaro Valley High-2003; and Starlight-1988) have significantly more land area per student than that of Ceiba, which would make sense because of newer standards relating to issues such as parking, car traffic issues, and ADA requirements.

To make matters worse, Ceiba is located in a mainly industrial area by the outer limits of the City. There are no plans that I am aware of to suggest that there will be a meaningful increase of housing in the immediate area, thus it is simply not credible to

⁴ See page 24: <https://www.cityofwatsonville.org/DocumentCenter/View/3955/City-of-Watsonville-Historic-Context-Statement-2007>

⁵ It should be noted that Pajaro Valley High actually has more than twice the amount of land than shown on the attached spreadsheet, but since the excess land is deemed “unusable acreage” by PVUSD, I did not include such land totals in this comparison. According to PVUSD, Cesar Chavez, Landmark, and Starlight also had varying amounts of “unusable acreage” which I also excluded from the spreadsheet totals in order to maintain consistency in the comparison of the schools.

⁶ The ages of the PVUSD schools at their current sites, other than Watsonville High, were obtained the PVUSD 2011 Site Facility Book found at: <https://www.pvUSD.net/Departments/Business-Services/Maintenance-Operations-and-Facilities/PVUSD---2011-Site-Facility-Book/index.html> The origination year for Watsonville High was obtained from page 5 of the following link: <https://history.santacruzpl.org/omeka/files/original/fc0c15160f2cc7586941e4fea6234907.pdf>

claim it is or can become a “neighborhood” school. As stated earlier, schools such as Linscott and Radcliff were constructed to deal with increasing population growth in the immediate area, thus creating the need for “neighborhood schools.” Ceiba does not fall under such a category.

It is most puzzling and disturbing to think that professional planners of any kind could possibly support locating a school at such a site. Even worse, Ceiba is attempting to piece-meal together a larger school campus by purchasing nearby properties that are incompatibly zoned. The historical record shows that Ceiba relies upon violation of public zoning safeguards to make this approach work. This is a horrible way to establish a children's school.

I respectfully ask each and every Council Member to drive by at least some of the schools listed in this letter to recognize the responsible planning and design that went into each school, and then to compare that with the Ceiba proposal before you to recognize the poor and defective planning being done here.

The tragedy with this project is that an entire neighborhood has been negatively impacted by a school that is simply not compatible with the adjacent properties.

There is no logical reason why Ceiba should be given the right to bypass sound planning standards and applicable zoning codes.

Sincerely yours,



Nick Bulaich
(831) 728-5640

Attachment “A”

cc: City Manager
City Clerk
City Attorney
Community Development
Public Works
Register-Pajaronian

ATTACHMENT "A"

SCHOOL/GRADE LEVELS	YEAR OF SCHOOL SITING	ENROLLMENT 2021-22 YR.	SITE SIZE IN USABLE ACRES	TOTAL SQ. FT OF LAND	SQ. FT OF LAND PER STUDENT
Ann Soldo Elementary K-5	1999	392	9.37	408,157	1041
Cesar E. Chavez Middle School 6-8	1972	554	9.00	392,040	708
E.A. Hall Middle School 6-8	1938	601	17.00	740,520	1232
Freedom Elementary School K-5	1946	523	13.00	566,280	1083
H.A. Hyde Elementary School K-6	1954	468	12.00	522,720	1117
Landmark Elementary School K-5	2003	443	6.85	293,386	662
Linscott Charter K-4	1928	253	1.70	74,052	293
Mintie White Elementary School K-5	1929	518	6.00	261,360	505
Pajaro Valley High School 9-12	2003	1562	33.52	1,460,131	935
MacQuiddy Elementary School K-5	1950	494	8.80	383,328	776
Radcliff Elementary School K-5	1917	456	3.72	162,043	355
Rolling Hills Middle School 6-8	1965	621	18.00	784,080	1263
Starlight Elementary K-5	1988	495	7.00	304,920	616
Watsonville High School 9-12	1894	2396	36.00	1,568,160	655
CEIBA 6-12	2013	511	2.10	91,476	179
SCHOOL/GRADE LEVELS	HIGHEST TO LOWEST SQ. FT OF LAND PER STUDENT				
Rolling Hills Middle School 6-8	1263				
E.A. Hall Middle School 6-8	1232				
H.A. Hyde Elementary School K-6	1117				
Freedom Elementary School K-5	1083				
Ann Soldo Elementary K-5	1041				
Pajaro Valley High School 9-12	935				
MacQuiddy Elementary School K-5	776				
Cesar E. Chavez Middle School 6-8	708				
Landmark Elementary School K-5	662				
Watsonville High School 9-12	655				
Starlight Elementary K-5	616				
Mintie White Elementary School K-5	505				
Radcliff Elementary School K-5	355				
Linscott Charter K-4	293				
CEIBA 6-12	179				



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Ceiba Charter school zoning permit

Lesley Gin <mzrtgn007@gmail.com>

Fri, Feb 17, 2023 at 4:11 PM

To: cityclerk@cityofwatsonville.org, eduardo.montesino@cityofwatsonville.org, vanessa.quiroz@cityofwatsonville.org, maria.orocho@cityofwatsonville.org, kristal.salcido@cityofwatsonville.org, casey.clark@cityofwatsonville.org, jimmy.dutra@cityofwatsonville.org, ari.parker@cityofwatsonville.org

To whom it may concern,

I am writing to you to urge you to renew Ceiba charter school's zoning permit.

The students at Ceiba are respectful and hard working students. It is a largely hispanic student body and many of the students attending Ceiba may even be the first in their families to have the opportunity to go to college. Ceiba is a College Prep school that provides an invaluable opportunity to the families in our community. It is keeping our children off the streets, giving them a valuable education and helping them to fulfill their dreams of a higher education.

Ceiba has put time and money into the facility they currently occupy at 215 Locust st so they can provide space for students to learn and grow. If the zoning permit is not renewed it will cause the school to permanently close as the school does not have the funds to relocate.

Please renew Ceiba charter school's zoning permit so Ceiba can continue to teach and inspire the children in our community.

Thank you

Lesley

Attachment 4
Page 38 of 90



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Dear city Councils

Maria Angeles <asandemar08@gmail.com>
To: cityclerk@cityofwatsonville.org

Thu, Feb 23, 2023 at 9:33 AM

February 23, 2023

Dear City Councils,

I'm starting this letter saying that "WE ALL HAVE A DREAM" I'm a mother of a junior student that is attending CEIBA Collage preparatory for 6 consecutive years. One of her dreams is to graduate from CEIBA and transfer to the university to become a mechanical engineer, all these years she was talking about her graduation and the prom night with her friends. Lately she has been suffering from anxiety. Thinking that this dream might not be possible due to the conditional status of the school.

Please when you vote **YES or No** consider the social, economic, and emotional impact that your decision is going to affect 525 children having to look for new schools trying to adjust, these kids had enough with the pandemic and now we are dealing with mental health. 50 employees will be without a job this employees have families to support.

When you all were running to be City Council you also had "A DREAM" please do what you think is the best for these students and be part of their "DREAM"

Look forward to hear from you,

Maria Marquez

831. 288-9211

image001.gif
1K

Attachment 4
Page 39 of 90

Attachment 4
Page 40 of 162



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

FYR : The Pajaronian 2/24 Ceiba school hopes to make its Watsonville location permanent

Takashi Mizuno <takashimizuno1231@gmail.com>

Fri, Feb 24, 2023 at 8:12 AM

To: Takashi Mizuno <takashimizuno1231@gmail.com>, Eduardo Montesino <eduardo.montesino@cityofwatsonville.org>, Vanessa Quiroz <vanessa.quiroz@cityofwatsonville.org>, Ari Parker <ari.parker@cityofwatsonville.org>, Jimmy Dutra <jimmy.dutra@cityofwatsonville.org>, Tamara Vides <Tamara.vides@cityofwatsonville.org>, Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>, Suzi Merriam <suzi.merriam@cityofwatsonville.org>, kristal.salcido@cityofwatsonville.org, casey.clark@cityofwatsonville.org, maria.orozco@cityofwatsonville.org, citymanager@cityofwatsonville.org, cityattorney@cityofwatsonville.org, Justin Meek <justin.meek@cityofwatsonville.org>

The Pajaronian 2/24

I read the article below this morning. As for the issue of safety, it is good to know that Ceiba administrators have decided to make a rule to not park cars in the sideways of Riverside Drive. I noticed when I visited the school that there are driveways from Locust Street toward the school building as well as around the school building. I learned that the parents' volunteers have picked the trash around the school and the neighborhood. The article should have been better to read if it had had the voices of the students and the parents.

"Ceiba school hopes to make its Watsonville location permanent"

<https://pajaronian.com/ceiba-school-hopes-make-watsonville-location-permanent/>

"Watsonville Principal Engineer Murray Fontes says that the City has identified several areas to improve as a condition of its permit, including having parents follow traffic patterns, and avoiding left turns into and out of the school. In addition, students are told to only use crosswalks.

Fontes said that the school can be considered a compatible use for the area, should the rezoning be approved from industrial to institutional.

"The approach I've taken is that the use exists," Fontes says. "What can we do to ensure that it is compatible with the neighborhood that it's in? I feel that this is the kind of community situation where the Council has to weigh what's in the best interest and make that determination."

If you go

What: The Watsonville City Council to decide on Ceiba College Preparatory Academy

Where: City Council Chambers, 275 Main St., Top Floor

When: Tuesday, Feb. 28 at 5:30pm.

Attachment 4
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FEB 24 '23 AM 11:53

James C. Jeffery, III
Traffic and Civil Engineering Consulting Services
PO Box 961
Los Gatos, CA 95031-0961
Office 408.377.6222

info@trafficandcivilengineer.com

February 21, 2023

Watsonville City Council
City of Watsonville
275 Main Street
Suite 400 (4th Floor)
Watsonville, CA 95076

Re: Traffic and Safety Analysis of Ceiba College Preparatory Academy

Dear Honorable Mayor Montesino and Council Members:

This communication is submitted to provide a professional opinion on traffic-related impacts, particularly safety-related impacts, that both have existed and currently exist as pertaining to Ceiba College Preparatory Academy (Ceiba), a children's charter school located on 215 Locust Street in the City of Watsonville, California. I have been retained by concerned neighborhood stakeholders.

1. Professional Qualifications

I am a registered Civil Engineer (Professional Engineer License No. 1179, California) and a registered Traffic Engineer (Professional Engineer License No. 36644, California). I am also a General Engineering Contractor (License No. 391026). I hold BS Degrees in Engineering Management and Environmental Studies. I am a Professional Traffic Operations Engineer (License No. 197, Transportation Professional Certification Board) and hold California Driver's Licenses in Classes C, A, and M1. Since 1983, I have been in private practice, offering traffic and civil engineering consulting services; in this practice, I provide consultation, litigation support, and expert testimony. While in private practice I have also, at various times, been a consulting City Traffic Engineer. I have worked in traffic engineering and transportation planning, in both the public and private sectors, for nearly 45 years. I was also a Regional Traffic Engineer for the AMBAG region which includes Watsonville. I have worked on behalf of both plaintiffs and defendants, and my expert testimony has been accepted in Superior and Federal Courts in several states as well as a Canadian province. I am a Life Fellow of the Institute of Transportation Engineers (ITE). I am frequently retained as an expert witness and

technical witness for the California Board of Professional Engineers and Land Surveyors. I have co-authored several publications on road and school safety, including “Implementing Road Safety Audits in North America,” ITE TSC 96-01; “ITE Expert Witness Information Notebook,” ITE IR-099; and “Survey of Traffic Circulation & Safety at School Sites.”

2. Information Sourcing

As part of the engagement, I have reviewed Ceiba’s site, adjacent streets, and conducted a review of the following materials: (1) RBF Traffic Study dated January 2013; (2) the April 5, 2022 City of Watsonville Planning Commission Meeting Agenda folio; (3) photographs and videos of school traffic spanning from July 27, 2022 to date; (4) transcript of the City of Watsonville and Ceiba’s September 29, 2022 “Information and Listening Session” of Q&A involving Watsonville Traffic Coordinator Adolfo Gonzalez and Ceiba Principal Josh Ripp; (5) five different Ceiba Safe Routes to School plans; (6) pamphlet titled “Impact of Traffic Violence on the City of Watsonville” from the City’s own website; (7) communications between the City of Watsonville and Ceiba; (8) communications from neighborhood stakeholders; (9) City of Watsonville letter dated June 21, 2022 to Ceiba regarding new conditions of approval; (10) City of Watsonville letter dated September 10, 2021 to Ceiba regarding conditions of approval; (11) Hexagon Transportation Consultants, Inc. (Hexagon) Traffic Operations Study dated June 8, 2022; (12) Hexagon Parking Study dated November 4, 2022; and (13) flyer titled “Safety Tips for Parents/School Drop-off and Pick-up” provided to Ceiba by Maria Esther Rodriguez, Assistant Public Works Director, on December 15, 2015; and (14) the KSBW news article dated December 11, 2019, regarding two Ceiba students hit by a minivan in a crosswalk.

3. Site Location and Land Entitlement

Ceiba operates its school in an industrial building, on an industrial-zoned parcel within an industrial-zoned corridor situated along State Highway 129. The Ceiba site is partially surrounded by rows of single-family dwellings along Locust and Second Streets. It is on a functionally classified local street, Locust Street. Ceiba is adjacent to a beer distributor (Golden Brands/Elyxir), a plastering contractor (Oliveira Plastering), across the street from an industrial toxic site used by Oliveira for large vehicle parking,¹ and across Highway 129 from agricultural land. Ceiba has applied for a General Plan Map Amendment, Zoning Map Amendment, and Special Use Permit with Environmental Review (App #1737) to allow the permanent establishment of its 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500± square-foot mezzanine, on a 2.1± acre site located at 215 Locust Street (APN 017-161-51 (App #1737)).²

¹ 135 Walker Street, Watsonville, across the street from Ceiba’s Locust access, is listed as a toxic site on the California Department Toxic Substance Control [Envirostar website](#). Land restrictions list that public and private schools for persons under 21 are prohibited.

² Ceiba has also acquired two properties, 228 and 234 Locust Street, with plans to build a gymnasium across from its entrance on 215 Locust Street. These properties were previously owned by Chevron and were the subject of high-profile litigation regarding

4. Safe Routes to School

Watsonville City officials and corresponding school officials utilize methods of identifying and recommending safe walking and bicycling paths for students. These methods are referred to as Safe Routes to School (SRTS) and their related documents are referred to as SRTS plans. An SRTS plan walking path (or route) will guide pedestrians for optimal safety and will typically have a map and text. Most of Ceiba students live in residential zones distant from the school. This forces student pedestrians to traverse railways, truck routes, loading zones, and other hazards in order to get to school.

From 2014 to 2022, Ceiba maintained a basic SRTS plan walking route that merely instructed student pedestrians to enter the school along Locust Street. The hazards of using Ceiba's industrial location for the school together with negligible safe walking route guidance were demonstrated in December 2019 when two Ceiba students were injured in the industrial zone in a crosswalk, while walking to school. In 2022, it appears that revision to walking path recommendations was being considered.

One SRTS document (and related email) was provided by Ceiba to the City on June 30, 2022, which was merely a map of Watsonville's Central Walking Routes, "photoshopped" to superimpose a route for Ceiba along a quiet street. It does not appear that Ceiba posted this on its website. It is uncertain if this document was ever distributed to Ceiba parents and students: Its effectiveness is unknown.

5. Locust Street

Locust Street is the center of the traffic activity that is associated with Ceiba and will be analyzed through a series of specific sections.

A. Description

Ceiba is situated on the western side of the southern block of Locust Street, a two-lane local street running north-south from Highway 129 to West Beach Street, spanning two blocks. It has a significant intersection with Second Street. The speed limit along Locust Street is 25 miles per hour. Locust Street is a substandard, narrow street with a width of slightly less than 34 feet, less than the City's street standard of 34 feet. Ceiba's SRTS plan designates the southern block of Locust Street as a recommended walking path and bike path.³ There are no bicycle lanes on

toxic waste from pesticides manufacturing. They are currently zoned residential. This present study does not address traffic and safety impacts from the use of these additional properties. However, it should be noted that Ceiba applied to have these properties included in its current application without a CEQA or traffic analysis. Given that the building is intended to be a gymnasium, a CEQA and traffic study should be conducted to determine the impact to the neighboring stakeholders.

³ Per the proposed "Conditions of Approval," Ceiba was to provide their Safe Routes to School Plan to the City Engineer prior to the start of the 2022-23 school year.

PAGE 3

James C. Jeffery III, P.E., PTOE
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Second or Locust streets. Bicycling on Locust Street is not safe due to the extremely narrow space with parked cars, traffic congestion, and poor visibility.



Locust Street is a narrow, substandard street; no room or potential room for bicycle lanes.

B. Use of Orange Traffic Cones

Since commencing operations at its site, Ceiba has used a procedure of placing and removing a row of orange traffic cones at some distance near the median of Locust Street. This placement and removal was done in the vicinity of their driveway several times each day with the apparent goal of forcing school vehicle traffic into temporary channels. The use of any traffic control devices on public property in California is under the purview of professional engineers and police. Improper placement of traffic cones can create hazardous conditions for drivers and pedestrians, and may even result in accidents or injury.

Submittals by residents described that large trucks became blocked by the cones. It is my understanding that Ceiba never obtained an encroachment permit to place cones on the street; therefore the school was doing this improvised traffic management without the benefit of a permit. City Staff were informed of this in April 2022. The practice was not addressed until a public records request was submitted regarding permitting the cones in August 2022. While the practice of placing cones appears to have stopped, it is noted that the city tolerated and enabled hazardous and disruptive use of the cones for a remarkably long time span. Since mid-August 2022, the cones are no longer being used.

PAGE 4

James C. Jeffery III, P.E., PTOE
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Ceiba utilized traffic cones to direct traffic.

C. Midblock Pedestrian Crossing

For over eight years, Ceiba promoted a midblock pedestrian crossing where students, with and without crossing guard assistance, would cross the middle of a block to get to school. Hexagon observed this phenomenon in its June 2022 Traffic Operations Study and claimed that a midblock section of Locust Street was “an unmarked crosswalk.” Any street area located midblock without proper marking cannot be a recognized crosswalk. California Vehicle Code (CVC) Section 275(a) defines what a crosswalk is:

"That portion of a roadway included within the prolongation or connection of the boundary lines of sidewalks at intersections where the intersecting roadways meet at approximately right angles, except the prolongation of such lines from an alley across a street."

Midblock pedestrian crossing is dangerous and disruptive, particularly when done by masses of students. Reckless midblock drop-off and pick-up activity makes the problem more chaotic. Evidence indicates that midblock drop-off and pick-up still happens regularly. Formal acknowledgment of citizen complaints was made on December 15, 2015 in an email from Maria Esther Rodriguez to Ceiba noting that a “crossing guard had been seen stopping traffic mid-block across from the driveway entry.” No enforcement of this safety violation appears to have been done by the City, other than the sharing of a flyer with Ceiba titled “Safety Tips for Parents School Drop-off and Pick-up.”



Midblock crossing was a common occurrence at Ceiba for eight years.

D. Curb Extensions

The City of Watsonville's Conditions of Approval for the proposed Ceiba use permit disregard industrial and residential stakeholders. In a letter dated June 21, 2022, the City of Watsonville updated its condition of approval for Ceiba to do upgrades across the industrial zone:

High-visibility crosswalks and curb-extensions at the north leg of Locust Street/Riverside Drive, the north leg of Menker Street/Riverside Drive, the north leg of Walker Street/Riverside Drive, all legs of Locust Street/2nd Street, and all legs of Walker Street/2nd Street; and

Curb extensions (also known as bulb-outs) protrude into the street and narrow the roadway. While pedestrians can benefit from shorter crosswalk distances, curb extensions are not typically advised in the industrial zone because they violate the intent of an equitable sharing of a public road. In this case, the implementation of curb extensions would diminish surrounding established traffic uses in the industrial zone, especially industrial stakeholders who rely on trucks to operate their businesses, due to restricting a truck's turning radius, especially on narrow streets such as Locust Street.

Additionally, curb extensions have an adverse impact on trucks using streets that intersect with state highways, such as Highway 129. The presence of curb extensions may result in increased accident risk for large vehicles, reduced maneuverability, increased congestion, and obstacles for larger vehicles. **It is important to note that the implementation of this condition would not meet any known standard for an articulated truck or trailer.**

The impact of curb extensions is not limited to large industrial trucks. Bulb-outs not only impede the traffic flow of large industrial trucks, they make it awkward for regular passenger vehicles. Curb extensions reduce the number of parking spaces in neighborhoods, impacting residential stakeholders who start losing needed street parking space.

6. Highway 129/West Riverside Drive

Highway 129 connects to the previously discussed Locust Street where Ceiba is sited and will also be analyzed in the following sections.

A. Description

Highway 129 is a four-lane divided state highway providing Watsonville with a connection from Highway 101 to the east and Highway 1 to the west. Westbound, the highway has a 25 MPH speed limit sign posted east of Menker Street and a 45 MPH sign posted immediately after Locust Street. From Menker Street to Locust Street, Highway 129 operates as an acceleration zone to become a high speed highway shortly thereafter (high speed highway being defined as a highway with a design speed greater than 45 MPH).

B. Crosswalk on Locust at Highway 129

There is not a marked crosswalk at the westbound Highway 129 and Locust Street intersection. Nonetheless, by state law, a legal crosswalk does exist there. It is a two-way, stop-controlled intersection with Highway 129 uncontrolled in both eastbound and westbound directions, and Locust Street stop controlled in the northbound and southbound directions.

Per the recommendation of the City of Watsonville Public Works and Utilities Department, Ceiba guides student pedestrians to use this crosswalk. In general, directing student pedestrians to use a crosswalk is proper. Here, however, the guidance creates an unusual problem that poses significant traffic hazards on Highway 129 for the following reasons.

A crosswalk is designed for pedestrians in order to allow them to see and to be seen by drivers in moving vehicles. For this reason, sight distance requirements **MUST** be adhered to. Given the number of parent vehicles that park along the highway shoulder to drop off and pick up students, the critical sight distance requirements become compromised. As a result, crosswalk pedestrians will not be able to see westbound vehicles nor be visible to such vehicles. Any such vehicles attempting to turn right must stop, slow down, or abruptly change lanes in order to accommodate that student pedestrian traffic. Traffic backups on Highway 129 can be dangerous, regardless of the origin. The typical cause of backups in this area includes pedestrian saturation in the crosswalk or vehicles jutting into the Highway 129 travel lane from Locust Street, as highlighted in Figure 2 of Hexagon's Traffic Operations Study dated June 8, 2022. Figure 2 depicts vehicles backing up on Locust Street and one extending from northbound Locust Street onto westbound Highway 129. This type of congestion in high-volume traffic areas, especially in an acceleration zone, can increase the likelihood of accidents.

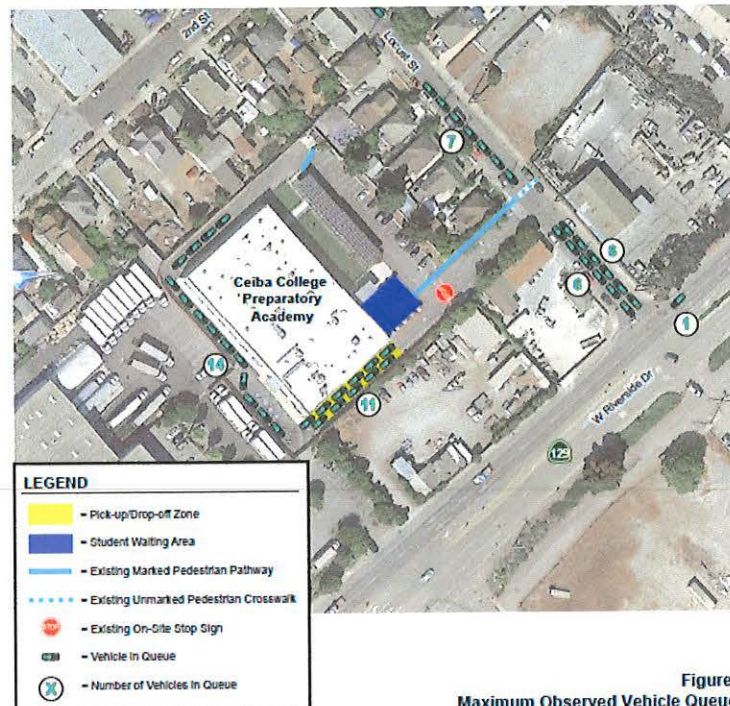


Figure 2
Maximum Observed Vehicle Queues

C. Student Drop-Off and Pick-Up

During the years from 2014 to 2022, parents of Ceiba students were observed dropping off and picking up students in random chaotic manner all over the adjacent neighborhood. This trend migrated to westbound Highway 129 where parents increasingly used (and still use) the shoulder of the highway between Walker Street and Harvest Drive to drop-off and pick-up students. The migration of drop-off and pick-up activity appears to have been the result of parents evading the gridlock occurring on Locust Street. Up through most of 2022, Ceiba's SRTS plan never recommended a student walking path on Highway 129. The drop-off and pick-up activity has generated amplified pedestrian activity in an ad hoc manner. This presents a problem insofar as highway sections with accelerating heavy truck traffic are not desirable walking or bicycle paths for students, nor should they be drop-off or pick-up locations.

In an email dated November 4, 2022 in reference to Highway 129, National Safe Routes to School organization director Nancy Pullen-Seufert stated:

Certainly what's safest for pedestrians is to not mix with motor vehicles at all and when there is mixing, 20 mph speed limits. Sounds like there are a lot of issues here that have gotten intertwined. Hopefully no more students will be injured while solutions are found.

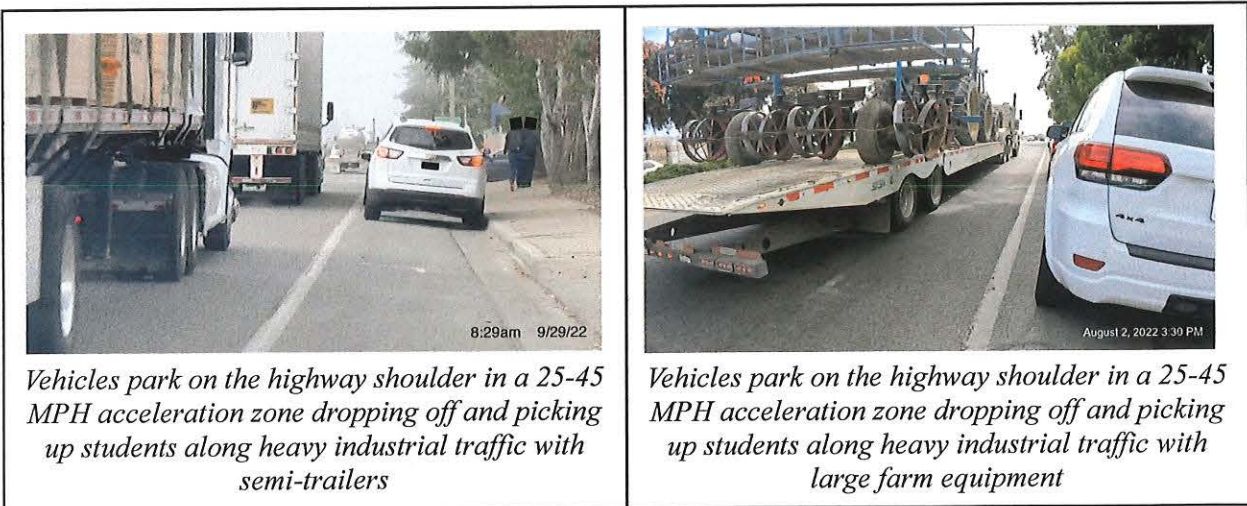
During the City of Watsonville and Ceiba co-sponsored “Information and Listening Session” on September 29, 2022, a concerned citizen asked the City of Watsonville Traffic Coordinator Adolfo Gonzalez and Ceiba School Principal Josh Ripp the following:

Although highways are in the jurisdiction of Caltrans, does the City of Watsonville and Ceiba consider the shoulder of State Highway 129 in the vicinity of Ceiba an appropriate and safe drop-off and pick-up location for students?

Gonzalez misstated the speed limit and maintained that the section of Highway 129 was not a “highway shoulder.” Ceiba Principal Josh Ripp referenced the school’s SRTS plan and stated that parents have the prerogative to pull over to the shoulder and drop off and pick up students. Both of these statements are problematic. This portion of Highway 129 is marked with an edge line indicating that **it is a highway shoulder**.

The purpose of a highway shoulder is multifold, including bicycle use, emergency situations, access for first responders, and an additional recovery area for drivers trying to avoid conflicts in adjoining lanes. Using it for a student drop-off and pick-up is ill-advised since students in grades 6-12 lack the experience, judgment, or awareness to recognize and respond to potential dangers in traffic and often are distracted walking while looking at mobile phones. Vehicles, especially large trucks, are incapable of braking in time in the event a student steps into the highway lane or enters or exits the vehicle on the driver’s side, which occurs regularly with Ceiba students.

Observed Ceiba Parent and Student Behaviors





Parents routinely park vehicles over the highway shoulder edge line impacting sight distance



Drivers turning from Locust Street are routinely placed at risk due to sight distance issues



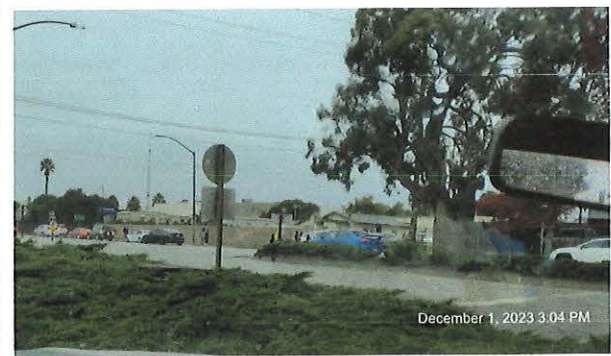
Chaotic scene with the driver making dangerous U-turns to drop-off students and vehicles over edge line



Vehicle making dangerous U-turn drops off student while parked over the edge line near heavy industrial traffic



Semi-trailers routinely need to take wide turns near students



Ceiba parents usurp the highway shoulder daily for drop-off and pick-up



Students routinely exit vehicles on the highway side of the vehicle, which is extremely dangerous



Parents pick-up/drop-off students in a 45 MPH zone adjacent to semi-trailers, which is unsafe



Parents regularly make dangerous U-turns from the highway shoulder to go eastbound on Highway 129



Bicyclists illegally ride on the sidewalk along Highway 129 without helmets amidst clustering of students



Parents routinely drop-off students in the middle of Second Street in front of crossing guards who do nothing



Parents routinely drop-off students in the middle of Locust Street in front of crossing guards who do nothing



Parents park along Highway 129 from Walker Street up to the No Parking Sign



Parent's vehicle making left-hand turn with students walking in the Locust & Highway 129 crosswalk

It appears that Ceiba implemented Highway 129 to be an SRTS designated walking path for the 2022-2023 school year. There is a confounding factor with this proposal. At times, parents will interpret an SRTS walking path as a safe location to drop off and pick up students. A recommended walking path is **not necessarily a recommended drop-off and pick-up area**.

Ceiba is also required to comply with the City's Condition of Approval 35 of the proposed use permit:

Caltrans Facilities Enhancements: Riverside Drive School Zone Signs, Accessible Ramps, and Crosswalk Upgrades. Due to the proximity of the school to the State Route 129, School Administration staff shall submit an Encroachment Permit to Caltrans for (a) establishing of a School Zone on Riverside Drive, (b) upgrading existing crosswalk(s) at Riverside Drive and Walker Street to school crosswalks, (c) upgrading existing ramps at Riverside Drive and Locus (sic) Street, and (d) installing high-visibility crosswalks and curb extensions at Riverside Drive and Menker Street to meet current ADA standards. (Caltrans,PWD)

In a general sense, this condition is anemic for many reasons. First, it only requires Ceiba to "submit" an Encroachment Permit to Caltrans, not to "obtain" one. The requirement was heavily diluted from an earlier condition cited in a letter dated September 10, 2021, which required the following:

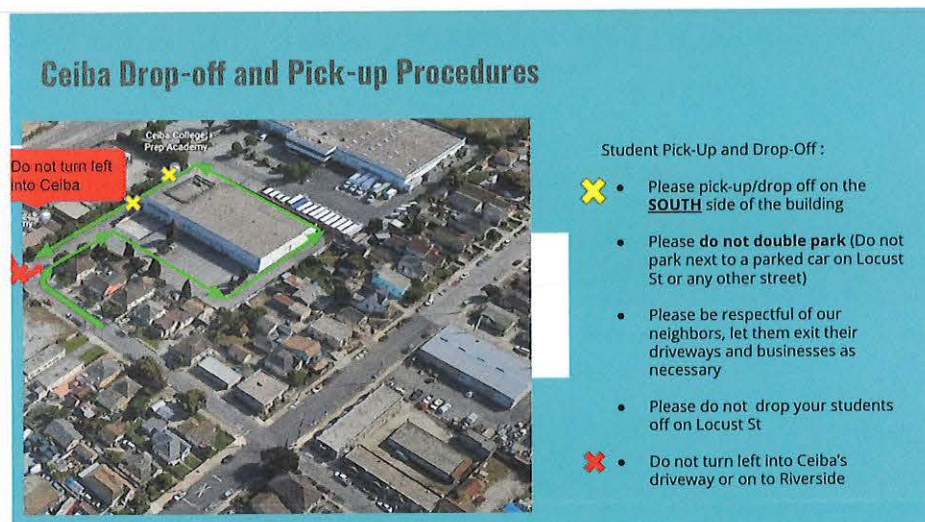
School Zone Signs on SR 129. *Due to the proximity of the school to the State Route 129, the applicant shall obtain an Encroachment Permit from Caltrans to establish a School Zone on Riverside Drive and upgrade existing crosswalk(s) at Riverside Drive and Walker Street to school crosswalks.*

Setting up a School Zone on an acceleration zone of a state highway traversed by heavy truck traffic lacks good judgment. This fact together with the city even proposing a condition of

approval to establish such a highway school zone raises a competence issue with the City Planning process.

7. Ceiba's Traffic Onsite Circulation Loop

According to Ceiba's current traffic protocol, parents are directed to use Second Street to turn onto Locust Street. They are instructed to turn right into the school's driveway and follow a counterclockwise route around the facility to drop off students (this is different than the posted 2014 drop-off and pick-up plan which had parents follow a clockwise route). When leaving the school, parents are instructed to make a right turn out of the driveway and another right turn onto Riverside Drive.



Condition 23 of the Use Permit prohibits the school from allowing traffic to stack and back up on City streets.

Condition 23:

School administration shall be responsible for traffic flow on the site during student drop off and pick up. No traffic back up shall be allowed onto City streets. Any issues arising from poor traffic control shall be remedied by the school upon notification from City Staff.

However, given the proximity to Highway 129, this condition failed to stipulate that the traffic **should not be allowed to back up onto the adjacent state highway**. Dangers associated with vehicles backing up onto a state highway were previously addressed in the Highway 129 section above.

Although the RBF Traffic Report (dated January 2013) modeled moderate degradation of traffic, that was not the result, as evidenced by subsequent complaints and emails. In reality, the circulation loop never worked. Limitations of Ceiba's traffic loop are due to several factors, including the substandard street size, unpredicted vehicle trips, the circumference of the onsite loop, the proximity of the school's driveway to Highway 129 (approximately 200 feet), the presence of a stop sign at the intersection of Locust Street and Riverside Drive, the traffic signal on Walker Street, and the pattern of parents parking vehicles along the roadway shoulder which obstructs sight distance. To ensure safe and efficient traffic flow, drivers should have an unobstructed view of the intersection and a sufficient view along the intersecting roadway to anticipate and avoid potential collisions when approaching or departing from a stopped position at an intersection.

Hexagon's June 2022 study observed the number of vehicles dropping off or picking up students offsite exceeded the number of parents dropping off students on the school site. In lieu of using the required onsite loop, parents dropped off and picked up students in the middle of streets, in arbitrary locations scattered across the industrial zone, and most dangerously along Highway 129. Failure of parent adherence to a protocol is very common when schools lack adequate traffic queues. Invariably parents become frustrated with time delays and seek alternative shortcuts and locations to save time.

Some of Ceiba's parents violate the procedure by turning from Riverside Drive; some violate the "No Left Turn" sign from Locust Street to Riverside Drive; some make dangerous U-turns from the highway shoulder near Sakata Lane to return eastbound. While technically a U-turn is legal, video and photos indicate parents are not exercising safe driving behavior. The only times that Ceiba's parents attempt to comply with the onsite traffic circulation loop are during rainy days, which creates gridlock traffic at the intersection of Locust Street and Second Streets, backing up eastbound on Second past Walker Street. This is similar to the gridlock the neighborhood experienced regularly before the 2022-2023 school year. As is evident, neighborhood stakeholders are unable to use their streets or to receive timely services in case of an emergency.



Typical gridlock on rainy days at the Second and Locust intersection. Rain is like a “stress test” of the traffic circulation loop, which fails and backs up on Second Street extending past Walker Street.



Typical gridlock on rainy days on Second Street; back up extends past Walker Street.

As another Condition of Approval, Ceiba must assume responsibility for traffic flow to and from its site during student drop-off and pick-up:

School Administration staff shall be responsible for traffic flow to and from the site during student drop off and pick up. School staff, crossing guards and volunteers shall

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adhere to the SRTS plan to ensure appropriate onsite drop off and pick up locations. School staff, crossing guards and volunteers shall also ensure queuing of vehicles are onsite and traffic does not back up onto City streets, thereby avoiding causing traffic congesting and unsafe conditions. Any issues arising from poor traffic control shall be remedied by the school upon notification from City staff. (CDD-P, PWD)

While this is important, on September 29, 2022, the City Traffic Coordinator invalidated this requirement by noting that, “Unfortunately, we, the City, cannot control where, you know, the parents choose to drop off kids.”

One critical note is that Ceiba’s “Drop Off and Pick Up Procedures” specifically instructs parents, “Do not drop your students off on Locust Street,” **however it fails to instruct parents to NOT drop students off on a high speed state highway.** This strange arrangement of guidance calls to mind the classic rule of logic that “the exception proves the rule.” Parents assume that, while Locust Street is not to be used for drop-offs and pick-ups, Highway 129 is permissible.

8. Conclusion

Best practices in traffic engineering avoid placing schools in industrial zones where there are substandard streets, large semi-trailers, and adjacent high speed highways. More often than not, they are incompatible with one another. This is clearly the case with the Ceiba.

In the Conditions of Approval for this rezoning application, the City has failed to consider the needs of the existing residential and industrial stakeholders by requiring curb extensions at critical trucking nodes.

For reasons unknown, the City has allowed unsafe conditions to persist since the school commenced operations at 215 Locust Street. Poorly trained crossing guards, ill-advised placement of orange cones without the benefit of a permit, allowing midblock crossing by students, and parents dropping off and picking up students in the middle of the street are all unsafe for students and drivers, as well as neighboring stakeholders. It is enough already that two Ceiba students have been injured in a crosswalk in the industrial zone in a 30 MPH area at the intersection of West Lake Avenue and Walker Street.

Highways are also inherently dangerous for students. Watsonville’s own “Impact of Traffic Violence” report states that 25% of the City’s fatal and serious injury crashes occur on 1.9 miles of the State highways within City limits. Yet, the City recommended an SRTS plan along a high speed highway and encourages a highway shoulder drop-off and pick-up zone. In all my years as a registered Traffic Engineer, **I have never encountered any jurisdiction encouraging Safe Routes to Schools for student pedestrians and bicycles that includes a high speed facility nor have I ever seen parents allowed to drop off and pick up students along a highway shoulder.**

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This is reckless and grossly negligent, promotes unsafe driving, and poses a threat to students, neighboring stakeholders, and all drivers. The drop-off and pick-up in the hazardous location discussed above should be terminated immediately. There should be enforcement of the aforementioned unsafe maneuvers.

If additional information becomes available at a later time, this Engineer reserves the right to supplement this Report.


James C. Jeffery III, P.E., PTOE

21. February 2023
Date

cc: Rene Mendez, City Manager
Suzi Merriam, Community Development Director



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Ceiba School Application - 215 Locust Street

Bill Seligmann <bill@southbaylaw.com>

Fri, Feb 24, 2023 at 11:02 AM

To: eduardo.montesino@cityofwatsonville.org, vanessa.quiroz@cityofwatsonville.org, maria.orocho@cityofwatsonville.org, kristal.salcido@cityofwatsonville.org, casey.clark@cityofwatsonville.org, jimmy.dutra@cityofwatsonville.org, ari.parker@cityofwatsonville.org

Cc: citycouncil@cityofwatsonville.org, rene.mendez@cityofwatsonville.org, szutler@bwslaw.com, suzi.merriam@cityofwatsonville.org, justin.meek@cityofwatsonville.org, cityclerk@cityofwatsonville.org

Honorable Mayor and Councilmembers:

I have attached a letter concerning the Ceiba School application for your consideration. Please give it your earnest consideration, and ensure that it is made part of the administrative record.

Bill Seligmann

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Santa Cruz, California 95060

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Ceiba Application Letter of Concern 022423 (with attachments).pdf
854K

Attachment 4
Page 58 of 90

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February 24, 2023

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Watsonville City Council
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Re: Ceiba School Application – 215 Locust Street

Honorable Mayor Montesino and Members of the City Council:

My firm has been retained to represent the interests of property owners and residents affected by the current application of the Ceiba School for amendments to the General Plan and Zoning maps, and a Special Use Permit to allow the school to permanently use the property at 215 Locust Street.

By way of personal background, I have been a land use attorney for over thirty-five (35) years; and have served as contract City Attorney equally as long. I have also had the pleasure of serving as a consultant to the Continuing Education of the Bar on their highly regarded treatise California Land Use Practice.

Project Background:

As the City's Planning Staff forthrightly concede, the current school use at 215 Locust was approved in contravention of the exiting General Industrial zoning designation, which does not allow for K-12 schools. As such, the approval was *ultra vires* in legal parlance; and the existing school use is illegal.

In any event, the original approval of June 4, 2013 was limited to a temporary, ten (10) year period, during which the school was to look for a more suitable, permanent location. (See Condition 2 of Planning Commission Resolution No. 08-13; Memorandum from Community Development Director to Planning Commission, re: Application PP2012-251, June 4, 2013, p. 2.) In the ensuing years, the school has been a major detriment to the neighborhood.

As the substantial testimony and correspondence received by the Planning Commission on April 5, 2022 reveals, the school has proven to be wholly incompatible with the neighborhood. These conflicts include:

- Traffic congestion during drop-off and pick-up times that completely immobilized Locust Street;
- Inadequately trained crossing guards with no consideration for vehicular movement;
- Students crossing the street whenever and wherever they want;
- Traffic conflicts between industrial trucking and parent/student traffic;
- Parents double-parking in the street during drop-off and pick-up times;
- Parents' vehicles blocking visibility at the intersection of Riverside Drive and Locust Street;
- Impacts to street parking;
- No on-site parking for students;
- Vehicles and students blocking private driveways;
- Cones placed illegally on Locust Street interfering with the passage of all vehicles;
- Attraction of mobile food vendors blatantly violating posted signage, which park on the street and promote loitering by students on narrow sidewalks, exacerbating congestion;
- Litter and trash thrown into the streets, sidewalks and yards;
- Dumpster odors;
- Trash pick ups by the solid waste company from Ceiba at 4:00 a.m. disturbing adjoining residences;
- Toxic contamination in the area;
- Students sitting on neighborhood fences and loitering, and smoking cannabis and cigarettes;
- Students climbing twelve-foot fences to retrieve errant balls from private property;
- Pick-ups and drop-offs taking place on the street, rather than on the school site; and
- Confrontations between disrespectful students/parents and residents, including at least one woman who has been spat upon and nearly tripped by students.

Upon resumption of the school term in August of 2022, things have not improved. While traffic on Locust has somewhat diminished, traffic and parking issues on the surrounding streets have increased. Since school reopened, lines of vehicles stretching over two city blocks (flanking Locust Street) have been observed picking up or dropping off students on dangerous Highway 129, many of them then conducting illegal and unsafe U-turns. The highway is traveled by large industrial trucks with traffic flowing at between forty-five to over fifty miles per hour (45 – 50 MPH;) and children often exit vehicles on the driver-side, into traffic. Parked vehicles also extend outside of the marked shoulder near the intersection of Locust Street, creating dangerous turning conditions. These actions create a dangerous condition of public property that exposes the City, the school, the School District and the State to serious liability exposure. (See *Bonanno v. Central Contra Costa Transit Authority* (2003) 30 Cal.4th 139.)

Despite this clear evidence of incompatibility between the school and the surrounding neighborhood, the Planning Staff has recommended making their prior mistake permanent – without any environmental review - rather than enforcing the existing General Plan and Zoning requirements. This proposal represents the worst form of spot zoning.

The matter is now before the City Council following the failure of the General Plan and Zoning amendments to receive sufficient votes by the Planning Commission.

The Proposed General Plan and Zoning Amendments:

A. The Proposal Does Not Meet City Criteria:

In order to approve the proposed General Plan and Zoning amendments, the City Council must find:

- (a) That the proposed amendment is consistent with the policies embodied in the General Plan;
- (b) That the proposed amendment is compatible to the extent possible with the actual and general planned use of the adjacent properties. (Watsonville Municipal Code (“WMC”) §§ 14-12.708; 14-12.805)

The evidence noted above precludes making these findings.

1. Contravention of General Plan:

The school use is in direct conflict with several General Plan Goals, Policies and Implementation Measures, including but not limited to:

- **Goal 4.2 Neighborhoods** - Conserve and improve the living environment of existing Watsonville neighborhoods;
- **Goal 4.7 Land Use Suitability** - Ensure that the orderly development of land for the needs of the existing and projected population within the City limit . . . is based on the land's overall suitability . . . ;
- **Goal 4.8 General Plan Implementation** - Ensure that future development is consistent with the General Plan through the city's zoning ordinance, Development Standards, . . . and environmental review process; (**Emphasis Added;**)
- **Policy 4.B Neighborhood Preservation** - The City shall plan for the protection of existing neighborhood qualities . . . ;
- **Implementation Measure 4.B.1 Existing Neighborhood Quality** - The City shall evaluate existing neighborhood land use patterns prior to the approval of new development that might prove disruptive to local circulation . . . ;
- **Policy 4.0 Industrial Land Use** - The City shall promote modernization of existing industrial plants and the location of new industrial facilities on lands planned for industry in Watsonville 2005;
- **Implementation Measure 4.D.5 Redevelopment District** - The City shall . . . encourage the location of companies in growth industries within the industrial areas, to . . . support business, and to encourage employment opportunities suitable for the city's current and future labor force;
- **Implementation Measure 4.I.4 Environmental Review** - The City shall use the environmental review process to ensure that project mitigations sustain and implement the policies of this General Plan, reduce environmental impacts to acceptable levels, and make adequate provisions for public safety; (**Emphasis Added;**)

- **Goal 10.1 Street and Highway Facilities** - Plan and provide for a safe, efficient, and environmentally sensitive network of streets and highways for movement of people and goods; and
- **10.P.3 School-Related Walkways**-When sites are considered for neighborhood schools . . . access to these sites from adjacent residential areas shall be designed in order to minimize the necessity for automobile transportation and potential automobile/pedestrian conflicts.

Obviously, these General Plan provisions do not square with the current situation.

Along the same lines, the proposed amendments are not compatible with the actual and general planned use of the adjacent properties. The existing conflicts are obvious from the experience of the last eight (8) to nine (9) years. However, the Council also needs to consider the impact from and on potential future uses in the area that are contemplated under the General Plan and Zoning. In this regard, the neighboring IG zone allows for heavy commercial uses and manufacturing as a matter of right. It also allows cannabis manufacturing with an administrative use permit, and petroleum manufacturing, armories, cannabis cultivation, and radioactive materials with a special use permit. (WMC § 14-16.601.) In fact, the area is known to present issues with toxic contamination. From 1901 to 1951, a nearby property, 135 Walker Street, was home to one of the world's largest chemical pesticide-producing facilities, Ortho California Chemical Spray Company, which pulverized lead, arsenic, and strychnine in its manufacturing operations. Chevron Chemical Corporation purchased 135 Walker Street in 1931 and sold it in the 1950s. In the mid-90s high levels of lead, arsenic, and strychnine were discovered at 135 Walker Street and three (3) adjacent parcels, which led to lawsuits that were ongoing as little as eight (8) years ago. (See Santa Cruz County Superior Court Case No. CV146344.) The seriousness of this contamination is highlighted by a covenant recorded against 135 Walker at the instigation of the California Department of Toxic Substances Control that prohibits "[a] public or private school for persons under 21 years of age." According to some of those involved, this contamination will never be fully abated.

Consequently, a school facility is not compatible with any of these industrial uses, and threatens to either place the children in harmful situations and/or curtail the industrial development in the surrounding area in contravention of General Plan Policy 4.0. This situation is exacerbated by the knowledge that Ceiba has plans to expand their operations onto 228 and 234 Locust Street (See Zoning Amendment Application 3539.) In other words, contrary to the implications in the Staff Report to the Planning Commission, it is not just the current school site itself that is affected by the proposed amendments, but all of the surrounding uses as well, changing the entire neighborhood.

2. Violation of Zoning Code Parking Standards:

As conceded in the Staff Report presented to the Planning Commission, the on-site parking falls well short of the parking standards required by the Zoning Code. According to a survey conducted by Ceiba, approximately 81% of its students arrive by car, and none arrive or leave by bus. (See Attachment B – slide from Parent Leadership Meeting 4/20/19.) The bus schedule for the Watsonville Transit Center shows that bus lines do not consistently operate at the service

interval of 15 minutes or less required to satisfy the parking exception afforded under AB 2097. (Cal. Gov. Code § 65863.2(e)(5); Cal. Pub. Res. Code §§ 2115(b), 21064.5(c).) As such, the school needs to satisfy the parking standards set forth in the Municipal Code.

Under the Municipal Code, the school is required to provide one (1) space per employee plus one (1) space for every twenty (20) middle school students plus one (1) space for every seven (7) high school students. (WMC §§ 14-16.803(a)(6)(ii); 14-17.1101(b).) Given that the school has 63 employees and 525 students, the school is required to provide somewhere between eighty-nine (89) to one-hundred and thirty-eight (138) on-site spaces, depending on the apportionment between middle school and high school students. Under the Municipal Code, properties in the proposed Institutional zoning district must accommodate all of the parking on-site, unless the site is located in a duly formed parking district – which is not the case here. (WMC §§ 14-17.102, 14-17.106, 14-17.109, 14-17.110.) The school affords only fifty-three (53) parking spaces (per Planning Commission Staff Report,) which is essentially less than half of those required by the Code. Furthermore, given that no notice has been given of a proposal to seek an exception to the parking requirement, the Council is constrained to apply the aforementioned parking standards.

As noted in the Staff Report to the Planning Commission, “a **Parking Study prepared for Ceiba confirms that available parking onsite is insufficient** and street parking is utilized to satisfy the school’s parking demand.” (**Emphasis Added.**) This insufficiency constitutes a major variance from the Code, which could in fact grow over time if the school shifted more of its enrollment to high school students. The City does not, and should not have to bear the burden of the school having chosen an insufficient site.

Undoubtedly, this lack of adequate on-site parking combined with inadequate on-site vehicle queuing has contributed to the conflicts in the neighborhood. The site cannot accommodate appropriate vehicular circulation; and the narrowness of Locust Street does not afford any opportunity for a stacking or turning lane. As a result, the neighborhood streets are bearing a burden that they were not designed to handle. Consequently, deviation from the parking requirements would result in material damage or prejudice to other properties in the vicinity and be detrimental to the public health, safety and general welfare.

B. Procedural Defects:

Pursuant to Watsonville Municipal Code sections 14-12.703 and 14-12.803, the Planning Commission must recommend either approval or denial of a General Plan amendment or Zoning Amendment by a majority of the seven-member body prior to the matter ascending to the Council. At the Planning Commission meeting of April 5, 2022, the Planning Commission failed to garner a majority for approval of the proposed changes, and no motion for denial was even considered. Hence, the Planning Commission has not fulfilled its obligations; and the matter is not ripe for Council consideration.

In advance of a study session held jointly by Ceiba and the City, no notice was provided in the Spanish language in violation of California Government Code section 11135.

Moreover, the applicant is proposing significant changes to the project that were never presented to the Planning Commission for review, including substantial changes to the Safe Routes to School Plan, which would create new, potentially harmful impacts to the neighborhood. Under State Law, if an application for a General Plan or zoning amendment is modified in a manner not previously considered by the planning commission during its hearing, it shall first be referred to the planning commission for report and recommendation. (Cal. Gov. Code §§ 65356(a), 65857.) Given that the current proposal does indeed contain significant revisions never considered by the Planning Commission, the project does need to be referred back to the Commission.

The Proposed Project Does Not Meet the Requirements for a SUP:

The Zoning Code imposes certain minimum finding necessary for the granting of a Special Use Permit (“SUP.”) These include:

- (a) The proposed use at the specified location is consistent with the policies of the General Plan and the general purpose and intent of the applicable district regulations;
- (b) The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods . . . ;
- (c) The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
- (d) The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets;
- (e) The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties;
- (f) The proposed special use complies with all additional standards imposed on it by . . . all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district; and
- (g) The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity. (WMC § 14-12.513.)

While failure to satisfy any one of these criteria would be fatal to the project, the school falls short on all of them. From the outset, as already explained, the project is not consistent with key General Plan provisions, and fails to satisfy the mandatory parking requirements of the Zoning Code. Hence, it fails criteria (a).

The project has a nearly nine (9) year history of conflict with adjacent neighborhood, failing criteria (b).

The traffic impacts have been monumental, failing (c) and (d).

The project has generated excessive litter, in contravention of criteria (e); and, again, does not meet the parking standards of the Code in violation of criteria (f).

Taking all of these factors into consideration, as well as the history of toxic contamination in the area, the project is demonstrably a public nuisance and clearly detrimental to public health, safety, convenience and welfare of the neighborhood, and even the students, thus violating criteria (g). Therefore, there is no legal basis to approve the proposed SUP.

Moreover, the City Council is without authority to approve the Special Use Permit. The Municipal Code grants final authority to issue Special Use Permits to the Planning Commission. (WMC § 14-12.510.) While a decision of the Planning Commission can be appealed to the City Council if “erroneously taken,” (WMC § 14-10.1100,) in the present case, the Planning Commission failed to take final action on the Use Permit; and consequently, there is no final decision that can be appealed.

The Project Has Skirted Environmental Review Under CEQA:

A city is required to conduct environmental review under the California Environmental Quality Act (“CEQA”) if there can be a fair argument that a project may have a significant effect on the environment. (14 Cal Code Regs § 15064(f); *Quail Botanical Gardens Found., Inc. v City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602; *Friends of "B" St. v City of Hayward* (1980) 106 Cal.App.3d 988, 1002.) To date, the City has conducted no environmental review of the project.

The City claims that the Project is exempt under CEQA Guidelines section 15601(b)(3) and 15301. Neither exemption is appropriate in this case.

CEQA Guidelines section 15601(b)(3) provides an exemption “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” In making this determination, however, the agency must “must rely on evidence in the record demonstrating that the agency considered possible environmental impacts in reaching its decision.” (*Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372, 386-387, citing *Davidon Homes v. City of San Jose, supra*, 54 Cal.App.4th at p. 117 [internal quotations omitted].) “An agency obviously cannot declare ‘with certainty that there is no possibility that the activity in question may have a significant effect on the environment’ if it has not considered the facts of the matter.” (*Ibid.*, citing CEQA Guidelines, § 15061(b)(3).)

The City also invokes an exemption pursuant to Section 15301. Section 15301 is a categorical exemption that applies to Projects that involve negligible or no expansion of an existing or former use. Categorical exemptions, such as the “existing use” exemption must be narrowly construed, (*Los Angeles Dep't of Water & Power v County of Inyo* (2021) 67 Cal.App.5th 1018, 1040; *Save Our Schools v Barstow Unified Sch. Dist. Bd. of Educ.* (2015) 240 Cal.App.4th 128, 140; *County of Amador v El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 966), and public entities should not unreasonably expand any categorical exemption (*Wildlife Alive v*

Chickering (1976) 18 C3d 190, 205 (claim of exemption rejected); *McQueen v Board of Dirs.* (1988) 202 Cal.App.3d 1136 (exemption not upheld)). This ensures that “CEQA [is] interpreted to provide the fullest possible protection to the environment.” (See *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 112.)

The City’s General Plan specifically mandates the use of environmental review process to ensure consistency with the General Plan, and “make adequate provisions for public safety.” (General Plan Goal 4.8; Implementation Measure 4.I.4.) However, despite this policy commitment to exercise environmental review, the City has now twice skirted this responsibility. In the admittedly mistaken approval of 2013, the school erroneously invoked the exemption of CEQA Guidelines section 15301, which applies to projects “involving negligible or no expansion of existing or former use.” By its terms, though, this exemption does not apply to a change from one use to another use. Consequently, the exemption should not have been invoked to avoid environmental review of the change from the formerly vacant storage building to the more intensive school use.

Now, the school is seeking to piggyback on its previous evasion under CEQA Guideline section 15061(b)(3), arguing that since the school is not proposing any changes from its current, illegal operation, that there is no possibility that the activity in question may have a significant effect on the environment. Yet, nothing could be further from the truth.

Among the factors that the City is required to consider are:

- Conflicts with land use policies;
- Analysis of traffic impacts under the vehicle miles traveled standard;
- Greenhouse gas emissions;
- Hazards and hazardous materials;
- Transportation impacts that might substantially increase hazards due to incompatible uses; and
- Degradation to surface or ground water. (14 Cal. Code Regs. §§ 15064.3(b), 15064.4; CEQA Guidelines App. G.)

As already noted, the project presents several conflicts with the land use policies of the General Plan and Zoning Code. The last traffic analysis was done in 2013, and did not examine the impacts under the now required vehicle miles traveled standard, and did not reflect the actual traffic conflicts that have since occurred. Likewise, there is no analysis in the records of the effect on greenhouse gases of the idling vehicles during drop-off and pick-up times. We do know that the project has substantially increased hazards to pedestrians from conflicts with industrial truck traffic. As noted in the City of Watsonville Complete Streets to Schools Plan:

Ceiba is located in the industrial area of Watsonville, which presents significant challenges for students walking or bicycling to school. Streets around the school are heavily used by large trucks, and drivers may not be expecting to share the road with bicyclists and pedestrians. (Complete Streets Plan, p. 37.)

The consequences of these inherent use conflicts were tragically in evidence on December 10, 2019, when two students suffered major injuries after being hit by a van while walking through the industrial neighborhood on their way to school.

In addition, the excessive litter generated by the students poses a significant threat to the nearby riparian environment of the Pajaro River.

Perhaps the most egregious concern, is the complete lack of study of the history of toxic contamination in the area. As previously noted, the area is known to present issues with toxic contamination. From 1901 to 1951, a nearby property, 135 Walker Street, was home to one of the world's largest chemical pesticide-producing facilities, Ortho California Chemical Spray Company, which pulverized lead, arsenic, and strychnine in its manufacturing operations. Chevron Chemical Corporation purchased 135 Walker Street in 1931 and sold it in the 1950s. In the mid-90s high levels of lead, arsenic, and strychnine were discovered at 135 Walker Street and three (3) adjacent parcels, which led to lawsuits that were ongoing as little as eight (8) years ago. (See Santa Cruz County Superior Court Case No. CV146344.) The seriousness of this contamination is highlighted by a covenant recorded against 135 Walker at the instigation of the California Department of Toxic Substances Control that prohibits "[a] public or private school for persons under 21 years of age."

Therefore, the City does not have sufficient evidence upon which it can determine with "certainty that there is no possibility that the activity in question may have a significant effect on the environment," and thus cannot rely on CEQA Guidelines section 15601(b)(3) to exempt the Project from CEQA. (CEQA Guidelines section 15601(b)(3).)

It is also a misnomer to contend that the current project involves no changes from the current, illegal operation. In actuality, the present project involves significant on and off-site changes, including:

- Flood proofing of existing buildings;
- Modifications to the bioswales;
- Changes to street crossings, ramps and travel paths; and
- Obtaining approval from Caltrans for modifications along Highway 129.

In fact, the project has even changed in significant ways from the time that it was considered by the Planning Commission, including significant changes to the Safe Routes to School Plan, which presents unstudied new impacts to traffic and transportation.

Moreover, Ceiba has plans to expand their operations onto 228 and 234 Locust Street, which they now own and on which they plan to build a gymnasium. (See Zoning Amendment Application 3539.) Under CEQA, all aspects of a project must be considered as a whole. (14 Cal. Code Regs. §15378(a), (c)–(d); *Poet, LLC v State Air Resources Bd.* (2017) 12 Cal.App.5th 52, 73; *California Unions for Reliable Energy v Mojave Desert Air Quality Mgmt. Dist.* (2009) 178 Cal.App.4th 1225, 1238; *RiverWatch v Olivenhain Mun. Water Dist.* (2009) 170 Cal.App.4th 1186; *Association for a Cleaner Env't v Yosemite Community College Dist.* (2004) 116

Cal.App.4th 629, 637.) CEQA "cannot be avoided by chopping up proposed projects into bite-sized pieces which, individually considered, might be found to have no significant effect on the environment or to be only ministerial." (*Tuolumne County Citizens for Responsible Growth, Inc. v City of Sonora* (2007) 155 Cal.App.4th 1214; *Association for a Cleaner Env't v Yosemite Community College Dist.* (2004) 116 Cal.App.4th 629, 638; *Plan for Arcadia, Inc. v City Council* (1974) 42 Cal.App.3d 712, 726;) and the analysis of the project under CEQA must include all foreseeable future expansions or later phases of a project. (*Laurel Heights Improvement Ass'n v Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 396.) In the present case, the City cannot ignore Ceiba's expansion plans; and Ceiba cannot avoid environmental review by simply withdrawing their expansion application to be considered at a future date. Failure to conduct full CEQA analysis of the expansion plans at this time is a blatant violation of the law.

Looking at all of these factors, there is more than a fair argument that the project will have a significant negative impact on the environment, as well as the students themselves; and there is no common sense supporting the proposed exemption. Further environmental review is required.

In considering a markedly similar case in Los Angeles County, the Superior Court last year overturned the City of Cudahy's approval of a charter school on the ground that the city had failed to conduct an environmental review under CEQA after improperly invoking a CEQA exemption. (*Cudahy Alliance for Justice v. City of Cudahy*, 2022 Cal. Super. LEXIS 13783.) It would be equally impermissible for Watsonville to try to circumvent CEQA in the present matter.

Proposed Conditions Are Inadequate:

While the Planning Staff has diligently attempted to craft conditions to mitigate the conflicts and adverse impact created by the school, these conditions unfortunately fall far short of alleviating the negative consequence of the project. Ultimately, the site itself and its location are simply unsuitable for a school of this size and nature. The proposed trip reduction program conditions are unenforceable under State Law; (Cal. Health & Safety Code § 40717.9(a);) and no conditions can adequately mitigate the potential exposure to toxic contaminants in the area.

The futility of the proposed conditions is further highlighted by Ceiba's continuous inability to comply with its *existing* conditions of approval. Condition 23 of Ceiba's *current* 2013 Use Permit requires "[n]o traffic back up shall be allowed onto City streets. Any issues arising from poor traffic control shall be remedied by the school . . ." The clear import of this condition is that Ceiba is supposed to contain all student pick-ups and drop-offs on the school site. Yet, the evidence is uncontroverted that such pick-ups and drop-offs continue to occur on the surrounding streets, imperiling neighbors, businesses and students alike; and these issues are likely to worsen if the school is given permanent approval, as parents and students revert to the normal human behavior of seeking the most convenient pick-up and drop-off sites.

Conclusion

In light of the overwhelming evidence that the school is incompatible with the surrounding uses, and the inadequacy of the conditions of approval to mitigate these concerns, the only viable option for the Council is to deny the project. Toward that end, my office has prepared a proposed Resolution for the Council's convenience. (See Attachment A.)

Sincerely,



William R. Seligmann

cc: *email only*:

City Manager

City Attorney

Community Development Director

Principal Planner Justin Meek

Attachment A

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WATSONVILLE, CALIFORNIA, DENYING:

1. A GENERAL PLAN MAP AMENDMENT (APP #1737) TO CHANGE THE LAND USE DESIGNATION FROM INDUSTRIAL TO PUBLIC/QUASI-PUBLIC FOR THE PROPERTY WITH ASSESSOR'S PARCEL NUMBER 017-161-51; AND
2. A ZONING MAP AMENDMENT (APP #1737) TO CHANGE THE ZONING DISTRICT FROM GENERAL INDUSTRIAL (IG) TO INSTITUTIONAL (N) FOR THE PROPERTY WITH ASSESSOR'S PARCEL NUMBER 017-161-51; AND
3. A SPECIAL USE PERMIT TO ALLOW THE PERMANENT ESTABLISHMENT OF 525 STUDENT CHARTER SCHOOL FOR GRADES 6-12 ON THE PROPERTY WITH ASSESSOR'S PARCEL NUMBER 017-161-51

**Project: Ceiba College Preparatory Academy
215 Locust Street (formerly 260 West Riverside Drive)
APN: 017-161-51**

WHEREAS, Ceiba College Preparatory Academy is a public charter school serving more than 500 students. For its first five years, from 2008 to 2013, Ceiba operated out of two locations in downtown Watsonville. In 2013, Tom Brown on behalf of Ceiba proposed to relocate the school to its current location under one roof. Ceiba planned on leasing the building on a temporary basis while they looked for a permanent location for purchase; and

WHEREAS, on June 4, 2013, the Planning Commission of the City of Watsonville exceeded its legal authority in adopting Resolution No. 08-13, approving Special Use Permit with Environmental Review (PP2012-251), to allow establishment of

a 525-student charter school for grades 6-12 in a vacant 27,000± square-foot industrial building at 260 West Riverside Drive (APN 017-161-51) to allow Ceiba to use the premises for a period of up to 10 years while a permanent school site was identified for purchase; and

WHEREAS, upon careful review of the Planning Commission's approval of the project in 2013, it has been determined that key information provided in the staff report is erroneous, such as the procedural discussion allowing the issuance of a Special Use Permit for a K-12 school use in the IG Zoning District. In addition, evidence provided in support of making required findings lack appropriate policy and impact analyses; and

WHEREAS, on May 27, 2021, Elizabeth Sanborn Falcon with Benchmark Realty Advisors on behalf of Ceiba College Preparatory Academy, applicant, and Spinnaker Ventures LLC, property owner, submitted an application for a General Plan Map Amendment (to change the site's land use designation from Industrial to Public/QuasiPublic), Zoning Map Amendment (to change the site's zoning designation from IG to N for Institutional), and Special Use Permit (App. No. 1737) to allow the existing school use to remain permanently; and

WHEREAS, as the subject property is currently designated Industrial on the General Plan Land Use Diagram and is within the IG Zoning District; and

WHEREAS, the Planning Commission reviewed the request for the amendments to the General Plan Land Use Diagram and Zoning Map and the establishment of a K-12 school use with issuance of a Special Use Permit and did not obtain sufficient votes to recommend the requested actions; and

WHEREAS, the substantial evidence in the records demonstrates that a fair argument can be made that the project would have a significant adverse impact on the environment; and

WHEREAS, notice of time and place of the hearing to consider General Plan Map Amendment, Zoning Map Amendment, and Special Use Permit with Environmental Review (App #1737) was given at the time and in the manner prescribed by the Zoning Ordinance of the City of Watsonville. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the City Council has considered all written and verbal evidence regarding this application at the public hearing and has made Findings, attached hereto and marked as Exhibit "A," in support of denying the General Plan Map Amendment and Zoning Map Amendment (APP #1737) to change the land use designation from Industrial to Public/Quasi-Public and corresponding Zoning District from General Industrial (IG) to Institutional (N) for the property with Assessor's Parcel Number 017-161-51 and denying a Special Use Permit for the permanent establishment of a 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500± square-foot mezzanine on a 2.1± acre site located at 215 Locust Street, Watsonville, California (APN 017-161-51).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Watsonville, California, as follows:

Good cause appearing, therefore, the City Council of the City of Watsonville does hereby **DENY** approval of a General Plan Map Amendment and Zoning Map Amendment (App #1737) to change the land use designation from Industrial to Public/Quasi-Public and corresponding Zoning District from General

Industrial (IG) to Institutional (N) for the property with Assessor's Parcel Number 017-161-51, as well as the Special Use Permit with Environmental Review (App #1737), to allow the permanent establishment of a 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500± square-foot mezzanine on a 2.1± acre site located at 215 Locust Street, Watsonville, California (APN 017-161-51).

I HEREBY CERTIFY that the foregoing Resolution was introduced at a regular meeting of the City Council of the City of Watsonville, California, held on the ____ day of _____, 2022, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon roll call, carried and the resolution adopted by the following vote:

Ayes: Councilmembers:

Noes: Councilmembers:

Absent: Councilmembers:

Irwin I. Ortiz, City Clerk

Eduardo Montesino, Mayor

Application No: 1737

APN: 017-161-51

Applicant: Ceiba

**FINDINGS FOR DENIAL OF APPLICATION FOR GENERAL PLAN LAND USE DIAGRAM
AMENDMENT AND ZONING MAP FINDINGS (WMC § 14-12.708) AND SPECIAL USE
PERMIT (WMC § 14-12.513)**

The City Council of the City of Watsonville finds as follows with respect to the present application, based on substantial evidence in the record:

1. The project site is located on Santa Cruz County Assessors Parcel Number 017-161-51, commonly known as 215 Locust Street, Watsonville, California (formerly 260 West Riverside Drive;)
2. The project site is currently zoned IG – General Industrial, and has a General Plan Land Use designation of Industrial;
3. The project site is also located in a Flood Zone, in close proximity to the Pajaro River;
4. The current Zoning and General Plan designation do not allow for a K-12 style school;
5. On or about June 4, 2013, the Planning Commission of the City of Watsonville exceeded its lawful authority and adopted Resolution No. 08-13, purportedly approving Special Use Permit with Environmental Review (PP2012-251), to allow establishment of a 525-student charter school for grades 6-12 in a vacant 27,000± square-foot industrial building at 260 West Riverside Drive (APN 017-161-51) to allow Ceiba to use the premises for a period of up to 10 years while a permanent school site was identified for purchase;
6. At the time of the application adopted by Resolution No. 08-13, the use of the project site consisted of a vacant warehouse;
7. It has been determined that key information provided in the staff report for the June 4, 2013 hearing is erroneous, such as the procedural discussion allowing the issuance of a Special Use Permit for a school use in the IG Zoning District. In addition, evidence provided in support of making required findings lack appropriate policy and impact analyses;
8. The present application seeks a General Plan Map Amendment (to change the site's land use designation from Industrial to Public/QuasiPublic), Zoning Map Amendment (to

change the site's zoning designation from IG to N for Institutional), and Special Use Permit (App. No. 1737) to allow the existing school use to remain permanently;

9. The Planning Commission reviewed the request for the amendments to the General Plan Land Use Diagram and Zoning Map and the establishment of a school use with issuance of a Special Use Permit at its meeting of April 5, 2022, and did not obtain sufficient votes to recommend the requested actions;
10. The proposed project would have approximately 63 staff members and up to 525 students in grades 6 through 12;
11. The proposed project is located in a predominantly industrial area, and adjoins a variety of industrial uses zoned IG – General Industrial along portions of the site's western, southern and eastern boundaries;
12. The proposed project also adjoins a strip of residential uses zoned R-1 along portions of the site's western, northern and eastern boundaries;
13. The applicant has demonstrated an intention to expand its school operations onto other properties in the vicinity, including 228 and 234 Locust Street, and had submitted an application to do so (Zoning Amendment Application 3539;)
14. The applicant has taken possession of the properties and 228 and 234 Locust Street and intends to build a gymnasium on the site for use by the school;
15. The IG zone allows for heavy commercial uses and manufacturing as a matter of right. It also allows cannabis manufacturing with an administrative use permit, and petroleum manufacturing, armories, cannabis cultivation, and radioactive materials with a special use permit; (WMC § 14-16.601;)
16. The project site gains access from Locust Street, which is a narrow lane with no ability to accommodate a separate stacking or turn lane for school drop-offs or pick-ups;
17. Over the years that the Ceiba School has unlawfully operated on the project site, there have been numerous and persistent conflicts with the surrounding uses, including:
 - Traffic congestion during drop-off and pick-up times that immobilizes Locust Street;
 - Inadequately trained crossing guards with no consideration for vehicular movement;
 - Students crossing the street whenever and wherever they want;
 - Traffic conflicts between industrial trucking and parent/student traffic;
 - Parents double-parking in the street during drop-off and pick-up times;

- Parents' vehicles blocking visibility at the intersection of Riverside Drive and Locust Street;
 - Impacts to street parking;
 - No on-site parking for students;
 - Vehicles and students blocking private driveways;
 - Cones placed illegally on Locust Street interfering with the passage of all vehicles;
 - Attraction of mobile food vendors blatantly violating posted signage, which park on the street and promote loitering by students on narrow sidewalks, exacerbating congestion;
 - Litter and trash thrown into the streets, sidewalks and yards;
 - Dumpster odors;
 - Toxic contamination in the area;
 - Students sitting on neighborhood fences and loitering, and smoking cannabis and cigarettes;
 - Students climbing twelve-foot fences to retrieve errant balls from private property;
 - Pick-ups and drop-offs taking place on the street, rather than on the school site;
 - Confrontations between disrespectful students/parents and residents, including at least one woman who has been spat upon by students;
 - Dangerous drop-offs and pick-ups on State Highway 129;
18. The project site is deficient in parking. Pursuant to Watsonville Municipal Code sections 14-16.803(a)(6)(ii) and 14-17.1101(b), the project site requires somewhere between 89 to 138 on-site spaces, depending on the apportionment between middle school and high school students, but provides only 53 parking spaces;
19. The deficiency in on-site parking contributes to the conditions identified in Finding Number 15 above, and in material damage and prejudice to other properties in the vicinity and is detrimental to the public health, safety and general welfare;
20. A survey shows that 81% of the students arrive at school by car, with only 5% of those carpooling;
21. The same survey shows none of the student arrive or leave school by bus; and the nearest bus transit at the Watsonville Transit Center does not operate at consistent service intervals of no longer than 15 minutes during peak commute hours.;
22. During the current operations of the school at the project site, the required stormwater facilities has been impaired by placement of basketball hoops in the bioswale areas, as well as the presence of blockages and debris; and beehive grates were removed from drainage inlets;

23. In light of the foregoing findings, the proposed project is inconsistent with the following General Plan provisions:

- **Goal 4.2 Neighborhoods** - Conserve and improve the living environment of existing Watsonville neighborhoods;
- **Goal 4.7 Land Use Suitability** - Ensure that the orderly development of land for the needs of the existing and projected population within the City limit . . . is based on the land's overall suitability . . . ;
- **Goal 4.8 General Plan Implementation** - Ensure that future development is consistent with the General Plan through the city's zoning ordinance, Development Standards, . . . and environmental review process;
- **Policy 4.B Neighborhood Preservation** - The City shall plan for the protection of existing neighborhood qualities . . . ;
- **Implementation Measure 4.B.1 Existing Neighborhood Quality** - The City shall evaluate existing neighborhood land use patterns prior to the approval of new development that might prove disruptive to local circulation . . . ;
- **Policy 4.0 Industrial Land Use** - The City shall promote modernization of existing industrial plants and the location of new industrial facilities on lands planned for industry in Watsonville 2005;
- **Implementation Measure 4.D.5 Redevelopment District** - The City shall . . . encourage the location of companies in growth industries within the industrial areas, to . . . support business, and to encourage employment opportunities suitable for the city's current and future labor force;
- **Implementation Measure 4.I.4 Environmental Review** - The City shall use the environmental review process to ensure that project mitigations sustain and implement the policies of this General Plan, reduce environmental impacts to acceptable levels, and make adequate provisions for public safety;
- **Goal 10.1 Street and Highway Facilities** - Plan and provide for a safe, efficient, and environmentally sensitive network of streets and highways for movement of people and goods; and
- **10.P.3 School-Related Walkways**-When sites are considered for neighborhood schools . . . access to these sites from adjacent residential areas shall be designed in order to minimize the necessity for automobile transportation and potential automobile/pedestrian conflicts;

Based on the foregoing findings of fact, **the City Council further finds and concludes:**

1. The proposed amendments are **not** consistent with the policies embodied in the General Plan;
2. The proposed amendments are **not** compatible to the extent possible with the actual and general planned use of the adjacent properties;

3. The proposed use at the specified location is **not** consistent with the policies of the General Plan and the general purpose and intent of the applicable district regulations;
4. The proposed use is **not** compatible with and does **not** preserve the character and integrity of adjacent development and neighborhoods;
5. The proposed use **will** generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
6. The proposed use does **not** incorporate roadway improvements, traffic control devices or mechanisms, or access restrictions sufficient to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets;
7. The proposed use does **not** incorporate sufficient features to adequately minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties;
8. The proposed use does **not** comply with the standards imposed on it by the requirements of this title applicable to the proposed special use and uses within the applicable base zoning district;
9. The proposed use **will be** materially detrimental to the public health, safety, convenience and welfare, and **will** result in material damage or prejudice to other property in the vicinity; and
10. There is substantial evidence in the record that the project will have a significant negative impact on the physical environment, which would require further analysis under the California Environmental Quality Act.

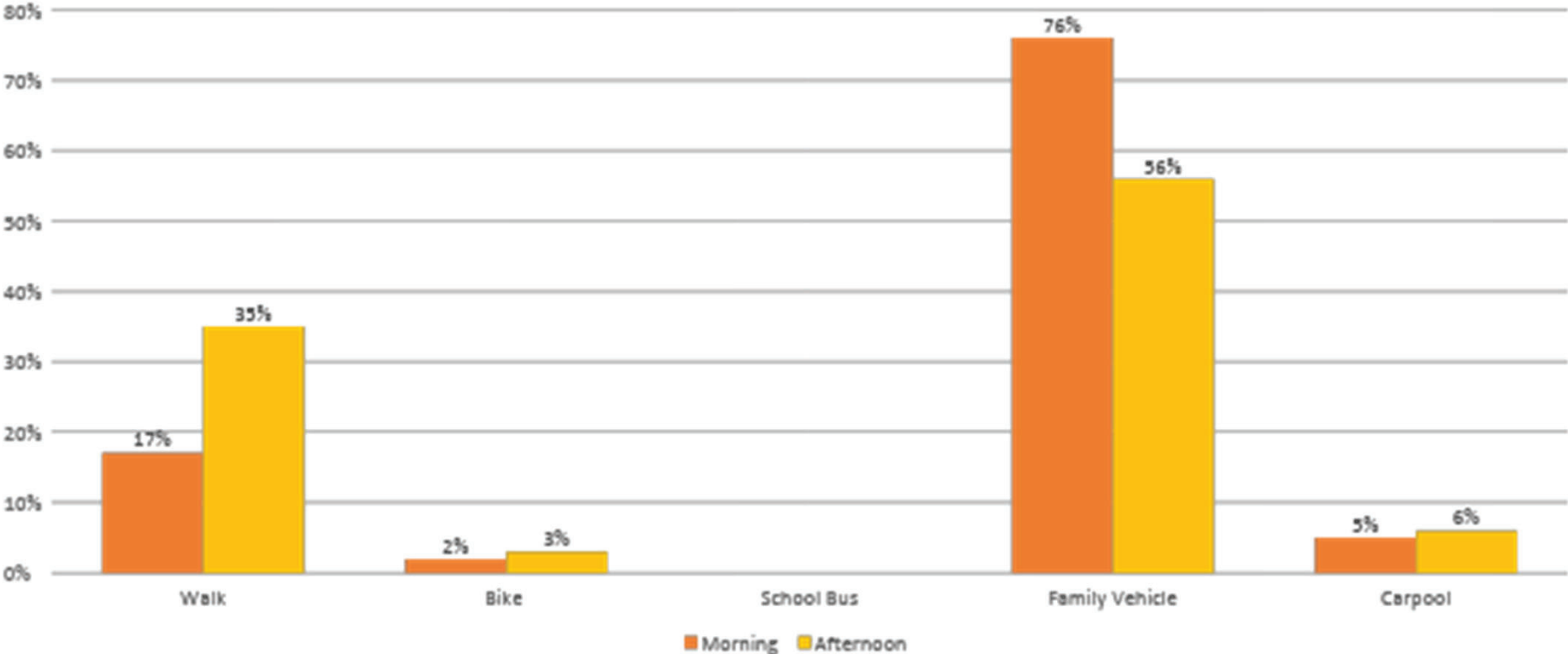
Attachment B

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Ceiba College Prep Parent Survey

How does your child typically get to and from school?
42 responses received





Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Ceiba school

Monica Fernandez <mona_fernandez@yahoo.com>

Fri, Feb 24, 2023 at 12:08 PM

To: eduardo.montesino@cityofwatsonville.org, cityclerk@cityofwatsonville.org

Cc: eduardo.montesino@cityofwatsonville.org, cityclerk@cityofwatsonville.org, vanessa.quiroz@cityofwatsonville.org, maria.orocho@cityofwatsonville.org, kristal.salcido@cityofwatsonville.org, casey.clark@cityofwatsonville.org, jimmy.dutra@cityofwatsonville.org, ari.parker@cityofwatsonville.org

Hello City Council Montesino

I am reaching out to you today so that you can vote in favor of Ceiba School. This is a great charter school that we need to keep in the City of Watsonville.

I have elementary age children. My plan is to send them to Ceiba in the near future. Look around and see how many opportunities our school kids are given. Our choices are limited to Watsonville High and PV High. What Charter Schools do we have for Middle and High School? Pacific Charter and Ceiba. Our community needs to be given options.

I tend to look up State test to compare the different schools. Ceiba is scoring far above WHS and PVH. Why would a city council member vote NO to Ceiba permanent location? The complaints I am hearing about Ceiba is parking. Really? We are giving up a great school due to parking and traffic? Wow. This is like saying we want our children to go to schools that score far below state average as long as parking is Great.

I do hope you vote to keep Ceiba in their location.

thank you for your time.

Monica Fernandez

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Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Public Comment Feb 28 City Council meeting re: Ceiba Zoning and General plan amendment application APP #1737

1 message

John Martinelli <jmartinelli@martinellis.com>

Fri, Feb 24, 2023 at 12:11 PM

To: "citycouncil@cityofwatsonville.org" <citycouncil@cityofwatsonville.org>, "cityclerk@cityofwatsonville.org" <cityclerk@cityofwatsonville.org>, "citymanager@cityofwatsonville.org" <citymanager@cityofwatsonville.org>, "cityattorney@cityofwatsonville.org" <cityattorney@cityofwatsonville.org>, "fire@cityofwatsonville.org" <fire@cityofwatsonville.org>, "police@cityofwatsonville.org" <police@cityofwatsonville.org>, "cdd@cityofwatsonville.org" <cdd@cityofwatsonville.org>

Cc: John Martinelli <jmartinelli@martinellis.com>

Dear Watsonville City Council, Management and staff,

As many of you may know, our family is very reluctant to voice opposition to issues that are important to the Community of Watsonville. We are also strong supporters of public education and believe the path to progress and equity for our local youth passes through our public education system. We certainly do not oppose the good work that Ceiba College Preparatory Academy performs. However, the application to establish a permanent Public/Institutional zone for the property in their current school location poses a serious conflict to our entire industrial food processing and cold storage community which literally surrounds this property.

Therefore, it with regret that I am compelled to submit the attached letter of opposition to this action. I sincerely hope that as you ponder this critically important decision, please take my comments into consideration, which are qualified by the attached input from our Industrial Refrigeration Engineering company, as well as the guidelines posted on the internet by the National Institute for Occupational Safety and Health, and the Centers for Disease Control and Prevention.

Thank you very much.

John

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Attachment 4

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Stephen John Martinelli

Chairman of the Board



Martinelli letter to COW Council re Ceiba.pdf
1862K

Attachment 4
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SINCE 1868

S. MARTINELLI & COMPANY

735 WEST BEACH STREET WATSONVILLE, CALIFORNIA 95076

February 24, 2023

Watsonville City Council

Public Comment Re: Ceiba Academy General Plan and Zoning amendment

Dear City Council Members,

I am writing in strong opposition to the proposal to amend the general plan and general industrial zone designation of Ceiba College Preparatory at 215 Locust Street. Although our community benefits from the education being provided by this school, this is the wrong location for a permanent public facility of any kind, due to the ever-present risk to the health and safety of the student body and staff.

This school is located in the middle of a heavy industrial area that contain over a dozen major cold storage and food processing buildings, (attachment A) containing over one hundred thousand pounds of ammonia refrigerant. In the event of a large earthquake or fire, tons of ammonia could be immediately discharged into the air and inundate the air people breath, which can result in blindness, lung damage and death to those exposed to the gas.

Our industrial community is one of the primary contributors to our local economy, and any threat to our businesses is a threat to all the citizens of Watsonville. Expansion of neighborhood/public/institutional zoning, in the middle of an industrial area, should never be considered by thoughtful planning staff when there are opportunities to relocate and expand this facility closer to where the majority of our residents live in Watsonville.

Watsonville City management and staff has been trying to encourage our company to move from our 227 East Beach plant for decades, due to the inherent conflicts our industrial activities create with Watsonville high school across the street. We recently had an ammonia leak that was quickly curtailed at this facility, and we are already facing large fines and costly mitigation measures by the Federal EPA, for this very small accident that caused no harm to our neighbors. A large accident of this nature cannot be prevented, despite modern control systems.

We now have plans to move our East Beach plant operations to our larger West Beach street (former Green Giant) facility, just one block away from Ceiba's current temporary location. Allowing permanent, and possibly expanded school facilities, to be located in our industrial zone is a direct conflict with the future security of our business and the livelihood of our 340 employees.

This is the time for Watsonville to take a very serious look at how best practice zoning designations should be applied to our long-term general plan, and mixing neighborhood with heavy industrial use is simply not good planning.

Thank you for your consideration.

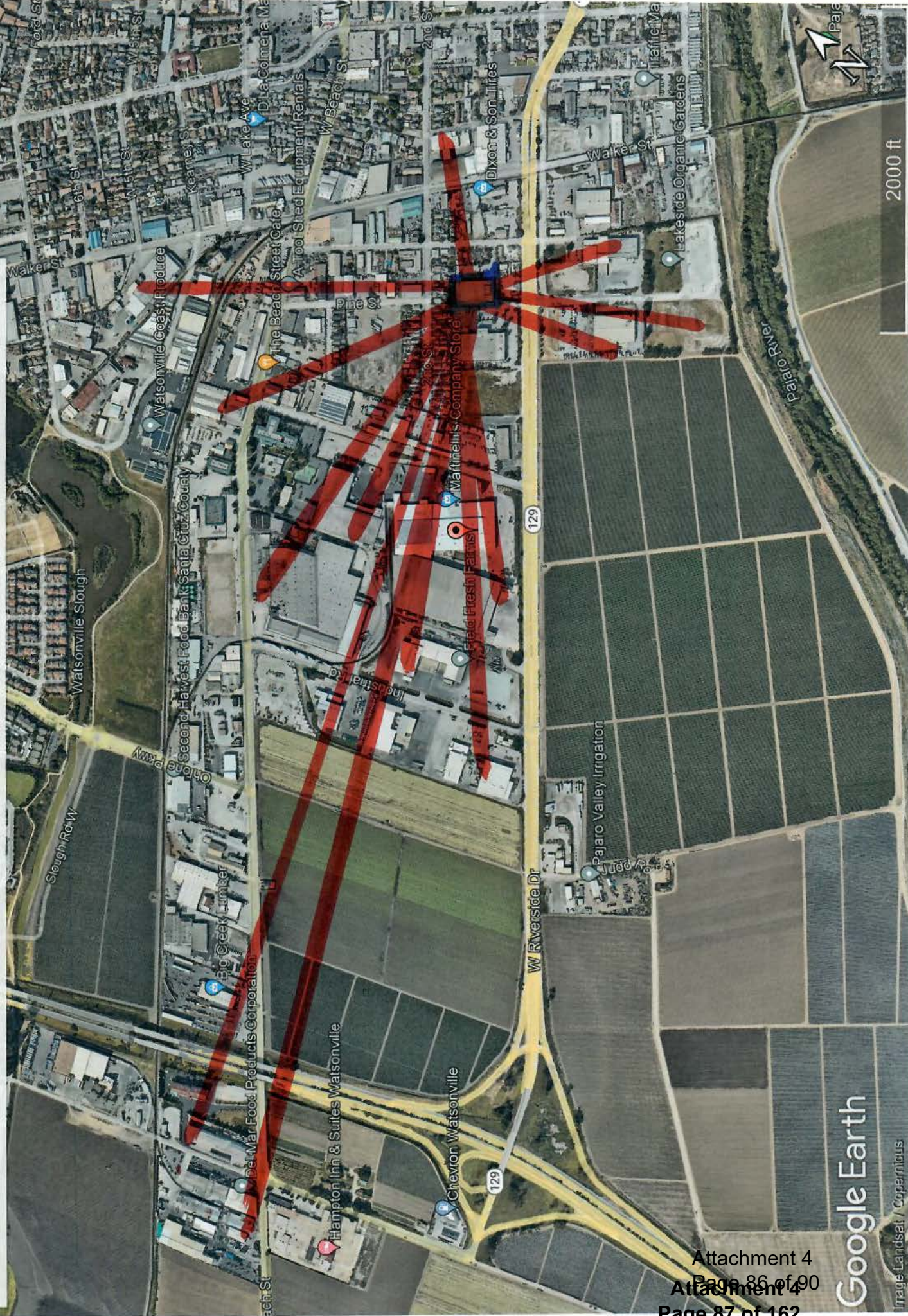
Stephen John Martinelli, Chairman of the Board

Attachment 4
Page 85 of 90

Martinelli's

Cold storage and food processing plants with Ammonia refrigeration

A





Industrial Refrigeration
Environmental Compliance
Mechanical Systems Commissioning
HVAC, Plumbing, Fire Protection
Training & Technical Support

Mr. Mark Muzuki
VP Operations, Engineering and Maintenance
S. Martinelli & Co
735 West Beach St., Watsonville, CA 95076

February 24, 2023

Re: SMC WEST BEACH FACILITY OFF-SITE CONSEQUENCE ANALYSIS

Off-site consequence analysis for the West Beach St facility ammonia refrigeration system was analyzed.

Worst-case release scenario: ALOHA modeling software was used in determining the distance to the toxic endpoint. The refrigeration system has approximately 8,500 lb of ammonia. The worst-case scenario considers the release of whole system charge from the high-pressure receivers into the engine room. According to the ALOHA modeling software, the distance to the toxic endpoint of 200 ppm is approximately 1.1 mile and distance to the toxic endpoint of 300 ppm, which is the IDLH (immediately dangerous to life and health) exposure limit, is approximately 0.9 mi from the plant ammonia machinery room.

The SMC West Beach Plant is located in an industrial area of the city of Watsonville. There are also other ammonia refrigeration plants around the SMC West Beach St Plant. An ammonia release from the plant may potentially reach off-site, affecting public receptors such as schools nearby.

Anhydrous ammonia (NH_3) is a gas in its natural state and is extremely irritating to mucous membranes and lung tissue. The gas is pungent and may be suffocating as shortness of breath and labored breathing can develop if inhaled. Prolonged inhalation of high concentrations may cause bronchitis and/ or pneumonia, with some residual reduction in pulmonary functions. Repeated or prolonged contact of high concentrations of ammonia to the skin can cause frostbite, redness, pain and serious skin burn.

Sincerely,
Cypress Engineering Group

Sefa Isik, PE CSP

Principal

8 Harris Court Suite A8
Monterey, CA 93940

831.218.1802
www.cypresseg.com



The National Institute for Occupational Safety and Health (NIOSH)

Promoting productive workplaces
through safety and health research



Ammonia

IMMEDIATELY DANGEROUS TO LIFE OR HEALTH CONCENTRATIONS (IDLH)

MAY 1994

CAS number: 7664-41-7

NIOSH REL: 25 ppm (18 mg/m³) TWA, 35 ppm (27 mg/m³) STEL

Current OSHA PEL: 50 ppm (35 mg/m³) TWA

1989 OSHA PEL: 35 ppm (27 mg/m³) STEL

1993-1994 ACGIH TLV: 25 ppm (17 mg/m³) TWA, 35 ppm (24 mg/m³) STEL

Description of substance: Colorless gas with a pungent, suffocating odor.

LEL: 15% (10% LEL, 15,000 ppm)

Original (SCP) IDLH: 500 ppm

Basis for original (SCP) IDLH: The chosen IDLH is based on the statement by AIHA [1971] that 300 to 500 ppm for 30 to 60 minutes have been reported as a maximum short exposure tolerance [Henderson and Haggard 1943]. AIHA [1971] also reported that 5,000 to 10,000 ppm are reported to be fatal [Mulder and Van der Zahm 1967] and exposures for 30 minutes to 2,500 to 6,000 ppm are considered dangerous to life [Smyth 1956].

Existing short-term exposure:

1988 American Industrial Hygiene Association (AIHA) Emergency Response Planning Guidelines (ERPGs)

- ERPG-1: 25 ppm
- ERPG-2: 200 ppm
- ERPG-3: 1,000 ppm

National Research Council [NRC 1987] Emergency Exposure Guidance Levels (EEGLs)

- 1-hour EEGL: 100 ppm
- 24-hour EEGL: 100 ppm

U.S. Navy Standards [U.S. Bureau of Ships 1962] Maximum allowable concentrations (MACs):

- Continuous exposure (60 days): 25 ppm
- 1 hour: 400 ppm

ACUTE TOXICITY DATA

Lethal concentration data:

Species	Reference	LC50(ppm)	LCLo(ppm)	Time	Adjusted 0.5-hr LC (CF)	Derived Value
Rat	Alarie 1981	40,300	-----	10 min	23,374 ppm (0.58)	2,337 ppm
Rat	Alarie 1981	28,595	-----	20 min	23,448 ppm (0.82)	2,335 ppm
Rat	Alarie 1981	20,300	-----	40 min	23,345 ppm (1.15)	2,335 ppm
Rat	Alarie 1981	11,590	-----	1 hr	16,342 ppm (1.41)	1,634 ppm
Rat	Back et al. 1972	7,338	-----	1 hr	10,347 ppm (1.41)	1,035 ppm
Mouse	Back et al. 1972	4,837	-----	1 hr	6,820 ppm (1.41)	682 ppm
Rabbit	Boyd et al. 1944	9,859	-----	1 hr	13,901 ppm (1.41)	1,309 ppm
Cat	Boyd et al. 1944	9,859	-----	1 hr	13,901 ppm (1.41)	1,309 ppm
Rat	Deichmann and Gerarde 1969	2,000	-----	4 hr	5,660 ppm (2.83)	566 ppm
Mammal	Flury 1928	-----	5,000	5 min	2,050 ppm (0.41)	205 ppm
Mouse	Kapeghian et al. 1982	4,230	-----	1 hr	5,964 ppm (1.41)	596 ppm
Human	Tab Biol Per 1933	-----	5,000	5 min	2,050 ppm (0.41)	205 ppm

*Note: Conversion factor (CF) was determined with "n" = 2.0 [ten Berge et al. 1986].

Other animal data: RD50 (mouse), 303 ppm [Appelman et al. 1982].

Other human data: The maximum short exposure tolerance has been reported as being 300 to 500 ppm for 0.5 to 1 hour [Henderson and Haggard 1943]. A change in respiration rate and moderate to severe irritation has been reported in 7 subjects exposed to 500 ppm for 30 minutes [Silverman et al. 1946].

Revised IDLH: 300 ppm

Basis for revised IDLH: The revised IDLH for ammonia is 300 ppm based on acute inhalation toxicity data in humans [Henderson and Haggard 1943; Silverman et al. 1946].

REFERENCES:

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10. Mulder JS, Van der Zahm HO [1967]. Fatal case of ammonium poisoning. Tydschrift Voor Sociale Geneeskunde (Amsterdam) 45:458-460 (translated).
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Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Ceiba City Council Hearing Tuesday 2/28

Josh Ripp <josh.ripp@ceibaprep.org>

Fri, Feb 24, 2023 at 1:01 PM

To: citycouncil@cityofwatsonville.org

Cc: cityclerk@cityofwatsonville.org

Good Afternoon Watsonville City Councilmembers,

Thank you for taking the time to familiarize yourself with Ceiba and the context surrounding our zoning request. Our entire Ceiba community looks forward to our opportunity to appear before you Tuesday. In preparing for the meeting, I think it's important you are aware of the actions Ceiba has taken in making this zoning request.

1. I have repeatedly heard inquiries about why Ceiba has not moved our school to another location. The answer is there are no suitable alternative locations available. Attached to this email is a letter I sent City Manager Rene Mendez in October 2022 listing all of the sites Ceiba reviewed over the previous years with a total of 59 properties on the list. I share this letter so you have a fuller context as to why Ceiba is requesting to rezone our current location.
2. As you're aware, the city will issue a list of conditions of approval to operate at [215 Locust St.](#) and Ceiba will assume responsibility for each condition. While the final conditions are still being reviewed and possibly, Watsonville Principal Planner Justin Meek shared the draft list of conditions with Ceiba earlier this month. Attached to this email is a list of how Ceiba is meeting or will meet each condition.
3. Ceiba's Safe Routes to School (SRTS) Slides are used to direct our families on how to drop-off and pick-up their students from school daily. After a Town Hall meeting this past Saturday, Ceiba updated our SRTS slides to explicitly prohibit drop-offs and pick-ups along Riverside Dr. While Riverside Dr drop-offs and pick-ups were never encouraged by the school, they are now explicitly prohibited. I have been out at the start and dismissal of school each day to teach our families about this expectation.

Please let me know if you have any questions.

Thank you,

Josh Ripp*Head of School**Ceiba College Prep**215 Locust St**Watsonville, CA 95076**(831) 740-8786*

3 attachments

**2023 CoW Conditions of Approval.pdf**

170K

**SY2022-23 Ceiba Safe Routes to School Traffic and Walking Directions (3).pdf**

652K

**10.12.2022 Letter.pdf**

292K

October 12, 2022

Dear Mr. Mendez,

This letter is in response to your request for Ceiba's search for suitable alternative locations made on Friday, October 7th. Ceiba's search began with properties that were appropriately zoned for schools, meaning they were zoned either Institutional (N) or Public Facility (PF). After exhausting all potential opportunities with appropriate school zoning, Ceiba completed a second search to include to include all properties that were **(1)** within boundaries of PVUSD (as required by our charter), **(2)** appropriately sized for a 525 student school (Building = 35-40,000 ft. if possible 2.25-3 acres minimum), **(3)** equipped with suitable traffic circulation and parking space, **(4)** large enough to provide adequate outdoor recreation space, and **(5)** conveniently located for Ceiba's student population. Below are two tables listing all properties investigated in these two searches along with their statuses.

Josh Ripp
 Head of School
josh.ripp@ceibaprep.org
 831.740.8786

#	Street Address	User	Zoning	Status
1	2468, 75 Nielson St, Watsonville, CA 95076	Watsonville Community Hospital	N	In Use (Not available)
2	115 2nd St Watsonville, CA 95076	Watsonville Fire Dept Fire Station	N	In Use (Not available)
3	225 Main St Watsonville, CA 95076	US Postal Service Post Office	N	In Use (Not available)
4	212 Elm St Watsonville, CA 95076	Linscott Charter School	N	In Use (Not available)
5	250 E. Beach St Watsonville, CA 95076	Watsonville High School	N	In Use (Not available)
6	201 Brewington Ave Watsonville, CA 95076	E.A. Hall Middle School	N	In Use (Not available)
7	515 Palm Ave Watsonville, CA 95076	Mintie White Elementary School	N	In Use (Not available)
8	27 Sudden St, Watsonville, CA 95076	Watsonville YMCA	N	In Use (Not available) Too Small 1.4 Acres
9	133 Brennan St, Watsonville, CA 95076	Moreland Notre Dame School	N	In Use (Not available)
10	550 Rodriguez St, Watsonville, CA 95076	Radcliff Elementary School	N	In Use (Not available)



11	721 Main St Watsonville, CA 95076	St. Patrick's Catholic Parish	N	In Use (Not available)
12	311 Montecito Ave, Watsonville, CA 95076	Watsonville Residential Care	N	In Use (Not available)
13	229 Stanford St, Watsonville, CA 95076	First United Methodist Church	N	In Use (Not available) Too Small .12 Acre
14	330 Martinelli St, Watsonville, CA 95076	T. S. MacQuiddy Elementary School	N	In Use (Not available)
15	1140 Menasco Dr, Watsonville, CA 95076	Ann Soldo Elementary School	N	In Use (Not available)
16	1456 Freedom Blvd, Watsonville, CA 95076	Watsonville Catholic Cemetery	N	In Use (Not available)
17	125 Alta Vista Ave Watsonville, CA 95076	H.A. Hyde Elementary School	N	In Use (Not available)
18	66 Marin Watsonville, CA, 95076	Pioneer Cemetery	N	In Use (Not available)
19	95 Alta Ave Watsonville, CA 95076	Lutheran Community Church	N	In Use (Not available)
20	225 Hammer Dr. Watsonville, CA 95076	Starlight Elementary School	N	In Use (Not available)
21	437 Rogers Ave, Watsonville, CA 95076	All Saints Episcopal Church	N	In Use (Not available)
22	376 S. Green Valley Rd Watsonville, CA 95076	Green Valley Christian School	N	In Use (Not available)
23	25 Holly Dr. Watsonville, CA 95076	Freedom Elementary School	N	In Use (Not available)
24	500 Harkins Slough Rd Watsonville, CA 95076	Pajaro Valley High School	N	In Use (Not available)
25	130 Herman Ave Watsonville, CA 95076	Rolling Hills Middle School	N	In Use (Not available)
26	198 Holm Rd Watsonville, CA 95076	Church of Christ	N	In Use (Not available)
27	700 S. Green Valley Rd Watsonville, CA 95076	Watsonville Seventh Day Adventist Church	N	In Use (Not available)



28	40 Arthur Rd Watsonville, CA 95076	Cesar Chavez Middle School	N	In Use (Not available)
29	376 S. Green Valley Rd Watsonville, CA 95076	Green Valley Christian School	N	In Use (Not available)
30	336 Green Valley Rd Watsonville, CA 95076	Watsonville Hispanic Seventh Day Adventist Church	N	In Use (Not available) Too Small 1.1 Acre
34	2350 E. Lake Ave Watsonville, CA 95076	Lakeview Middle School	N	In Use (Not available)
36	75 Whiting Rd Watsonville, CA 95076	Watsonville Charter School of the Arts	N	In Use (Not available)
37	294 Green Valley Rd #1, Watsonville, CA 95076	Watsonville-Aptos Adult Education	N	In Use (Not available)
38	521 Main St Watsonville, CA 95076	New School	N	In Use (Not available)
40	294 Green Valley Rd Watsonville, CA 95076	Pacific Coast Charter School	N	In Use (not available)
41	112 Diamond Dr Watsonville, CA 95076	Academic Vocational Charter Institute (Diamond Tech Inst.)	N	In Use (Not available)
42	334 Sudden St Watsonville, CA 95076	City of Watsonville Callaghan Park	PF	In Use (Not available)
43	130 Rodriguez St Watsonville, CA 95076	City of Watsonville Rodriguez Park	PF	In Use (Not available)
44	Central & Main St Watsonville, CA 95076	Rodriguez Youth Center Watsonville Water Watsonville Parks & Community Services	PF	In Use (Not Available)
45	Central & Union Watsonville, CA 95076	City of Watsonville Offices	PF	In Use (Not Available)
46	250 Main Watsonville, CA 95076	Watsonville City Hall	PF	In Use (Not available)
47	1006 Freedom Blvd Watsonville, CA 95076	County Property Freedom Blvd at Crestview	PF	In Use (Not available)
48	1509 Freedom Blvd	City Water on Freedom Blvd	PF	In Use (Not available)



49	Main at Harkins Slough Rd	City Park Ramsey Park	PF	In Use (not available)
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Since no N or PF zoned properties were available, Ceiba searched for other zoned properties that met the following criteria:

1. Within boundaries of PVUSD
2. Appropriately Sized (Building = 35-40,000 ft. if possible 2.25-3 acres minimum)
3. Suitable Circulation & Parking Area
4. Adequate Outdoor Recreation Area
5. Convenient Location for student population

#	Street Address	User	Zoning	Status
1	135-141 Miles Lane Watsonville, CA 95076	Mid-Pen Housing Development Site	RN2	Not available
2	1702 Freedom Blvd. Watsonville, CA 95076	Former KMart Property	Commercial (CNS)	Common areas open to all tenants. No safe drop off/pick up or outdoor recreation area. Also, in airport traffic pattern
3	102 Green Valley Rd. Watsonville, CA 95076	Vacant Commercial Land on Green Valley near Freedom	PD / CT	No response from owner In airport traffic pattern
4	230 Ford St Watsonville, CA 95076	Vacant Industrial Land adjacent to residential	IG	No response from owner
5	25 Penny Lane	Gym Property on Green Valley and Aspen	Commercial (C)	Infeasible lot configuration
6	1060 S. Green Valley Rd Watsonville, CA 95076 Former Orchard Supply	Hope Services, Harbor Tools	CT	Common areas open to all tenants. No safe drop off/pick up or outdoor recreation area. Also, in airport traffic pattern
7	121 Martinelli St Watsonville, CA 95076	BPO Elks Club on E. Lake	Commercial	In Use (Not available)
8	124 Atkinson	Portuguese Hall	IP	Not Available
9	30 Eileen	Residential	R-1	No response from owner Infeasible access
10	490-580 Auto Center Dr.	Retail and Auto Sales	CT	In Use (Not Available)

CEIBA SPECIAL USE PERMIT ACTION PLAN
In response to
The City of Watsonville DRAFT CONDITIONS OF APPROVAL

Color	Total Conditions	Condition Item #
Ceiba has fully complied with condition	38 (73%)	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, 36, 37, 38, 41, 42, 47, 49, 50
Ceiba has partially complied with condition and will fully comply with condition once final conditions issued	5 (10%)	19, 43, 44, 45, 51,
Ceiba has not complied with condition because zoning approval/final draft of conditions of approval are required before moving forward	9 (17%)	30, 31, 32, 35, 39, 40, 46, 48, 52
TOTAL	52	

Item	City of Watsonville Use-Permit Compliance Conditions	Ceiba Action(s)	Completed by	Dollar Estimates
#	Standard Conditions			
	Approval. This approval applies to the application for the permanent establishment of a 525-student charter school for grades 6-12 in an existing 27,000± square-foot building with an 8,500±	Ceiba agrees with this condition	N/A	N/A

1	square-foot mezzanine on a 2.1± acre site located at 215 Locust Street (APN 017-161-51). This approval applies to plans titled "Existing Site Plan, Planning Exhibit, Ceiba Public Schools" (prepared by WR&D Architects, dated 11/3/2021), received by the Community Development Department on November 9, 2021, and filed by Elizabeth Sanborn Falcon with Benchmark Realty Advisors for Ceiba College Preparatory Academy, applicant, on behalf of Spinnaker Ventures LLC, property owner. (CDD-P)			
2	Conditional Approval Timeframe. This Special Use Permit shall be null and void if not acted upon within 24 months from the effective date of the approval thereof. Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)	Ceiba has acted and will act upon the conditions listed		
3	Findings. Approval is subject to the findings and supportive evidence in accordance with WMC Section 14-12.513 of the Zoning Ordinance with said Findings set forth in Exhibit "A" and made a part of this Permit. (CDD-P)	Ceiba agrees		
4	Modifications. Modifications to the project or conditions imposed may be considered in accordance with WMC Sections 14-12.1000 and 14-10.1305. All revisions shall be submitted prior to field changes and are to be clouded on plans. (CDD-P)	Ceiba agrees		
5	Substantial Conformance & Grounds for Review. The project shall be in compliance with the	Ceiba agrees		

	conditions of approval, all applicable local, State and Federal codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)			
6	Appeal Period/Effective Date. This Permit shall not be effective until 14 days after approval by the final decision-making body or following final action on any appeal. (CDD-P)	Ceiba agrees		
7	Necessary Actions. The applicant shall take all actions necessary to comply with all conditions of approval, including, but not limited to, submitting subsequent applications for upgrading pedestrian crossings on nearby streets, developing a Safe Routes to School Plan, implementing a travel behavior change program, and flood-proofing the existing building. (CDD-P)	Ceiba will comply		
8	Conditions of Approval. A copy of the final conditions of approval must be printed on the first or second sheet of plans submitted for future permits. <i>Plans without the conditions of approval printed directly on the first or second page shall not be accepted at the plan check phase.</i> (CDD-P)	Ceiba will comply		
9	Indemnity Agreement. The applicant shall agree in writing to indemnify and defend the City in case of legal challenge arising out of the City approving the project. Said agreement shall be subject to approval of the City Attorney. (CAT)	Ceiba will comply		
#	Building and Fire-related Conditions:			

10	Required Permits. The applicant shall obtain all required building permits (Building, Electrical, Plumbing, Mechanical, Grading, etc.) for this project and any new tenant improvements (e.g., new framing, electrical, plumbing, etc.). All construction shall comply with all State Building Codes and Municipal codes in effect at the time of plan submittal for building permits resulting in construction. (CDD-B, -E)	Ceiba has complied and will continue to comply		
11	Building Code. Project construction shall comply with the California Building Code as adopted by the City. (CDD-B)	Ceiba has complied and will continue to comply		
12	Fire Code. Project construction shall comply with California Fire Code as adopted by the City. (WFD)	Ceiba has complied and will continue to comply		
13	Historic Code. Project construction shall comply with California Historical Code as adopted by the City. (CDD-B)	Ceiba has complied and will continue to comply		
14	Energy Efficiency. The project design shall conform with energy conservation measures articulated in Title 24 of the California Administrative Code and will address measures to reduce energy consumption such as low-flow shower heads, flow restrictors for toilets, low consumption lighting fixtures, and insulation and shall use drought tolerant landscaping. (CDD-B)	Ceiba has complied and will continue to comply		
#	At time of building permit application, the following shall be complied with:			
15	Any signage proposed for the school shall require a separate sign permit. (CDD-P)	Ceiba has complied with sign permit requirements	Complete	N/A
	Comprehensive detailed construction plans are	There is no new Ceiba construction planned.	Complete	N/A

16	required at the time of submittal to be reviewed for adequate content prior to intake by the Building Official			
17	The project shall comply with all applicable provisions of the California State Building Code (Title 24) Part 2 Chapter 11B for Disabled Access. Plans must show compliance with all requirements. (CDD-B)	Ceiba will comply with CA State Building Code (See Item #4 Below)	Complete	N/A
18a	Comply with all applicable provisions of the California State Building Code (Title 24) Part 2 Chapter 11B Division I, II & III for Disabled Access. Plans must show compliance in sufficient information and detail to determine compliance was noted for the following: a. Path of travel from Public Transportation (main entry to the public sidewalk).	Ceiba will meet CA State Building Code for Disabled access by: a. Path of Travel i. Installed curbed sidewalk with truncated domes (detectable warnings) at each end of walkway along driveway that meets Locust St	Complete	\$80,000
18b	Disabled parking requirements: 1. Van Accessible Parking (requires 8'-0" unloading area). 2. Number of spaces (1 for 1st 25, 2 for the next 50 see table 11B-6). 3. Path of travel from accessible parking to any elevators. 4. Slopes at parking & unloading areas must not exceed 1:50. 5. Proper disabled signage, lettering and stripping is required. (CDD-B)	b. Disabled Parking i. Already provides Van Accessible Parking ii. Already provides 3 disabled parking spaces iii. Already provides path of travel from disabled parking to elevator iv. Already provides slopes at parking & unloading that are under 1:50 v. Already provides handicap signage, lettering and striping.	Complete	N/A
19	Main building entrances and required exits must be accessible. Design professionals must provide written verification of compliance for existing	Building meets all accessibility standards except for push-button access on front-entry. Ceiba is scheduled to update front entry doors with push button access. Upon completion, Ceiba will	Push button access is scheduled for installation	\$15,000

	disabled access features or facilities noted on plans. (CDD-B)	provide written verification of compliance for existing disabled access features created by design professionals.	Spring 2023	
20	The building shall have Automatic Fire Sprinklers installed, complying with NFPA installation standards. The fire sprinkler contractor shall submit three sets of plans and calculations for a separate fire permit prior to installation of the system. (CDD-B, WFD)	Ceiba's school already has Automatic Fire Sprinklers installed as of its initial school renovation in 2014-2015. The system is inspected and tested on an annual and five-year annual basis through an NFPA accredited contractor.	Complete	N/A
21	The project shall comply with the current CBC and CFC regulations for fire issues. (CDD-B, WFD)	Ceiba currently complies with both CBC and CFC regulations for fire issues.	Complete	N/A
22	A UL central station shall monitor all fire sprinkler systems. The monitoring shall provide water flow notification to the hearing and visually impaired. The monitoring contractor shall submit three sets of plans for a separate fire permit prior to installation of the system. (CDD-B, WFD)	Ceiba currently uses a UL central station to monitor all fire sprinkler systems.	Complete	N/A
23	The building shall be provided with KNOX-BOX or keyed entry for emergency access at all times. (CDD-B, WFD)	Ceiba currently has a KNOX-BOX installed next to the front door for emergency access at all times.	Complete	N/A
24	All buildings shall be provided with the required size and number of fire extinguishers. Exterior doors providing access to the fire risers and alarm panel shall have proper signage installed. (CDD-B, WFD)	Ceiba currently has the correct size and number of fire extinguishers and are served annually by Watsonville Fire Dept. Exterior doors do provide access to the fire riser room. Alarm panel currently has proper "fire riser" signage installed with braille.	Complete	N/A
25	Work Hours. No work for which a building permit is required shall be performed within the hours of 7:00 p.m. to 7:00 a.m. Monday through Friday, nor prior to 10:00 a.m. or after 4:00 p.m. on Saturday. No work shall occur on Sunday. A sign shall be posted at a conspicuous location near the main entry to the	Any work completed requiring a building permit shall be performed between 7:00 AM and 7:00 PM Monday through Friday or 10:00 AM to 4:00 PM on Saturday.	Complete	N/A

	site, prominently displaying these hour restrictions and identifying the phone # of the Job Superintendent. (CDD-B)			
#	City of Watsonville Ongoing Conditions			
26	Parking. Only School Administration staff, teachers, and volunteers and visitors may park onsite. Students shall not be allowed to park at the facility. (CDD-P, WPD)	Ceiba currently has a policy that states only Ceiba administration, staff, teachers, and volunteers are permitted to park onsite. Students are not permitted park at our facility.	Complete	N/A
27	Driveway Access. The school access for student drop off and pick up shall be limited to the driveway off of Locust Street. The Riverside Drive access shall not be utilized. (CDD-P, WFD)	School access for student drop off and pick-up shall continue to be on site after entering the driveway on Locust St. No students enter the school site from Riverside nor will they do so in the future.	Complete	N/A
28	Safe Routes to School (SRTS) Plan. The School Administration staff shall prepare a plan or document identifying designated safe routes to school. This plan shall be provided to all families at the beginning of school and included on the school's website where parents can access it throughout the year. This website link and/or printed document shall be provided to the City Engineer and/or Traffic Operations Manager at least 30 days prior to the beginning of each academic school year for review and approval. (CDD-P, PWD)	Ceiba updated a designated safe routes to school map for our families and posted it to our website. Ceiba provided an updated the Safe Routes to School Plan to the city engineer.	February 21, 2023	N/A
29	On- and Off-Site Traffic Circulation. School Administration staff shall be responsible for traffic flow to and from the site during student drop off and pick up. School staff, crossing guards and volunteers shall adhere to the SRTS plan to ensure appropriate onsite drop off and pick up locations. School staff, crossing guards and volunteers shall also ensure queuing of vehicles are onsite and	Ceiba is currently responsible for traffic flow during drop off and pick up. School staff, crossing guards, and volunteers will adhere to the Safe Routes to School plan for appropriate onsite drop off and pick up locations.		

	<p>traffic does not back up onto City streets, thereby avoiding causing traffic congesting and unsafe conditions. Any issues arising from poor traffic control shall be remedied by the school upon notification from City staff. School administration staff will institute a policy that no students drop-off or pick-up is to take place along Riverside Dr (CDD-P, PWD)</p>	<p>School staff, crossing guards, and volunteers currently ensure that queuing vehicles are onsite.</p> <p>Ceiba promptly follows-up with any traffic complaints when notified by the city, neighbors, or any other individual.</p> <p>Ceiba implementing no drop-off or pick-up along Riverside Dr</p>	Ongoing	N/A
30	<p>Pedestrian Guard Training. School Administration staff shall provide annual training for school staff and any volunteers serving as crossing guards. Crossing guards shall adhere to SRTS plan. Copies of individual crossing guard training certificate(s) shall be provided to City staff, upon request. Information on training can be found at http://www.casaferoutestoschool.org/adult-crossing-guard-training/. (CDD-P, PWD). (CDD-P, PWD)</p>	<p>School Crossing Guard Training will be completed annually, including assessments.</p> <p>Certificates provided upon request</p> <p>Correct assessment site below:</p> <p>https://caatpresources.org/train_cot_crossguard.html</p>	Will administer at next possible training session (Fall 2023)	N/A
31	<p>Pedestrian Crossings Upgrades on Nearby City Streets. Street crossings nearby to the school site shall be upgraded to include high-visibility crosswalks along with appropriate in-street signs per CA MUTCD standards. School Administration staff shall submit an Encroachment Permit to the City of Watsonville within 12 month timeframe for upgrading the following location(s) to provide high-visibility crosswalks and appropriate signage:</p> <ul style="list-style-type: none"> • Second Street and Locust Street; • Walker Steet and Second Street • Pine Street and Second Street; and • Pine Street and W. Beach Street. (PWD) 	<p>Ceiba will upgrade pedestrian crossings to include:</p> <ul style="list-style-type: none"> • High-visibility crosswalks • Appropriate in-street signs (per MUTCD stds) <p>Ceiba will submit encroachment permits for pedestrian crossings at the following intersections:</p> <ul style="list-style-type: none"> • Second Street and Locust Street • Walker Street and Second Street • Pine Street and Second Street • Pine Street and W. Beach Street 	Will submit plans for city approval within 60 days of council approval	<p>\$457,000*</p> <p>*Watsonville Complete Streets to School Plan 2020</p>
	Accessible Ramps and Sidewalks on Nearby	Ceiba will submit encroachment permits for		

32	<p>City Streets. School Administration staff shall submit an Encroachment Permit to the City of Watsonville within 12 month timeframe for upgrading ramps at the above location(s), as necessary, to meet current Americans with Disability Act (ADA) standards.</p> <p>In addition, School Administration staff shall submit an Encroachment Permit to the City of Watsonville for filling in sidewalk gaps along the east side of Locust Street between the school driveway and Riverside Drive. (PWD)</p>	<p>upgrading ramps to meet ADA standards at the following locations:</p> <ul style="list-style-type: none"> • Second Street and Locust Street • Walker Street and Second Street • Pine Street and Second Street • Pine Street and W. Beach Street • Fill sidewalk gap along East side of Locust between driveway and Riverside 	<p>Will submit plans for city approval within 60 days of council approval</p>	<p>Report</p>
33	<p>Accessible Path-of-Travel. School Administration staff shall provide an accessible route from Locust Street to the school building. Pursuant to CBC Chapter 11A, Section 1116A.5, when a walk crosses or adjoins a vehicular way, the walking surface shall be separated from the vehicular area by curbs, railings or other elements, or the boundary between the pedestrian areas and the vehicular areas shall be defined by a continuous detectable warning 36 inches wide minimum. (CDD-E)</p> <p>In accordance with the recommendations in the Traffic Operations Study prepared by Hexagon (dated June 8, 2022), the school shall install a raised sidewalk in place of the striped pedestrian pathway along the north side of the school driveway. Site work requires issuance of building permit and inspection by a Building Inspector. Any work in the public right-of-way shall require a separate encroachment permit from the Public Works and Utilities Department. (CDD-B-E)</p>	<p>Ceiba built a walking surface adjacent to the driveway that is separated via curve for a continuous detectable warning that is more than 36 inches wide.</p>	<p>Construction completed. Permitting submitted as part of previous construction project</p>	<p>Listed above</p>
34	<p>Accessibility Signage. The applicant shall install</p>	<p>Upon completion of path-of-travel, Ceiba</p>	<p>Will apply for</p>	

	accessible path-of-travel signs per CBC Section 1110A.2. (PWD)	installed accessibility signs indicating the location of the path-of-travel.	permits upon Watsonville City Council zoning approval	\$2,000
35	Caltrans Facilities Enhancements: Riverside Drive School Zone Signs, Accessible Ramps, and Crosswalk Upgrades. Due to the proximity of the school to the State Route 129, School Administration staff shall submit an Encroachment Permit to Caltrans for (a) establishing of a School Zone on Riverside Drive, (b) upgrading existing crosswalk(s) at Riverside Drive and Walker Street to school crosswalks, and (c) upgrading existing ramps at Riverside Drive and Locus Street and (d) installing high-visibility crosswalks and curb extensions at Riverside Drive and Menker Street to meet current ADA standards, and (e) establishing a no parking zone on Riverside Dr between Walker and Locust St (Caltrans, PWD)	Ceiba will submit an encroachment permit to Caltrans to: <ul style="list-style-type: none"> • Establish a School Zone on Riverside Drive • Upgrade sidewalks at Riverside and Walker to school crosswalks • Upgrade ramps at Riverside and Locust to meet ADA standards • Install high visibility cross-walk and curb extensions at Riverside Drive and Menker Street • Establishing a no parking zone on Riverside Dr between Walker and Locust St 	Civil Engineer is working with CalTrans to determin submittal requirements	\$106,000* *Watsonville Complete Streets to School Plan 2020 Report
36	Stormwater Bioswale Corrections and Maintenance Requirements. The applicant shall maintain bioswale in the school's parking lot in an operable condition in accordance with the Maintenance Agreement with the City of Watsonville, including, but not limited to, taking the following corrective actions: <ul style="list-style-type: none"> • Remove wood, basketball hoops, and other blockages/debris from the bioswales; • Replace missing beehive grates at drainage inlets; • Provide planting in accordance with the City Standard Drawing Nos. LID-0004A, B; and 	Ceiba updated the stormwater bioswale in March 2022 by removing overgrown Ponderosa Pine trees, replacing beehive grates at drainage inlets, planting in accordance with City Standard Drawings Nos. LID-0004A, B, and installing gravel energy dissipation areas at each Bioswale curb cut inlet.	Upgrade to Bioswale March 2022 Bioswale Review completed and submitted December 2022	Design: \$1,400 Construction/Landscaping: \$12,400

	<ul style="list-style-type: none"> Provide gravel energy dissipation at all bioswale curb cut inlets per City Standard Drawing No. LID-002. (CDD-E, PWD) 			
37	Landscape and Irrigation Requirements. Landscape and irrigation designs shall comply with the California Model Water Efficient Landscape Ordinance. (PWD)	Ceiba updated landscape and irrigation to comply with CA Model Water Efficient Landscape Ordinance. This landscaping is located in the Bioswale and adjacent areas.	Completed	Listed above
38	Maintenance of Landscaping and All Other Site Improvements. Landscaping and all other site improvements shall be maintained in perpetuity. Landscaping shall be maintained in good growing condition by a professional landscape maintenance company; and such maintenance shall include, where appropriate, weeding, mowing, pruning, cleaning, fertilizing and regular watering. All dead, dying and diseased vegetation shall be immediately replaced in kind. (CDD-P)	Ceiba is maintaining landscaping around the school and has contracted with JR Landscaping for monthly updates. Landscape updates include weeding, mowing, pruning, cleaning, fertilizing, and watering.	Ongoing	\$1,000 per month
39	Sewer Inspection. Pursuant to WMC Section 6-3.506, the applicant shall submit an application for a video inspection of the building's existing sanitary sewer lateral to ensure the existing sanitary sewer lateral meets all requirements of the City's Public Improvement Standards. (PWD)	Ceiba is working to repair the sewer lateral to a complete video inspection of the lateral by September 30, 2022.	Work in progress on sewer lateral	\$10,000
40	New Metal Roof on Existing Trash Enclosure. As shown for the Trash Enclosure Elevation on the Existing Site Plan (sheet A101), the applicant shall install a new metal roof on the existing trash enclosure, in conformance with the City's Public Improvement Standard No. S-602. (CDD-P, -E, PWD)	Ceiba will install a new metal roof over our trash enclosure by June 30th, 2023.	Design complete and working with General Contractor, Selden & Son, for installation.	\$5,000
	Trash Enclosure Maintenance. To prevent nuisance conditions and complaints concerning	Ceiba routinely cleans the trash enclosure and		

41	odors emanating from garbage and rotting food scraps in the trash enclosure area, the applicant shall routinely clean the trash enclosure and secure it at night. (PWD)	dumpsters to prevent odors by pressure washing dumpster.	Ongoing	N/A
42	Trash Disposal. All trash, recycling, greenwaste and foodwaste materials generated onsite shall be disposed of at a City-approved landfill or recycling center. The Applicant shall contact the Solid Waste Division of the City Public Works Department to coordinate disposal of all trash, recycling, greenwaste and foodwaste materials. (PWD)	Ceiba is in compliance with this and has two green waste bins that are collected weekly along with routine trash and recycling dumpster disposals.	Ongoing	N/A
43	Mandatory Travel Behavior Change Program. The applicant shall implement a mandatory travel behavior change program to reduce the number of staff members from driving along to and from work. Key components include: (a) developing a travel behavior change program that targets individuals' attitudes, goals, and travel behaviors; (b) educating participants on the impacts of their travel choices and the opportunities to alter their habits; and (c) providing a web site that allows employees to research other modes of transportation for commuting. In accordance with the recommendations in the Traffic Operations Study prepared by Hexagon (dated June 8, 2022), the school shall implement (a) a carpool matching program incentivize carpooling and (b) a bicycle program to encourage more students and staff to ride bicycles to and from the premises The applicant shall provide the City with the contact information for the School Administration staff member responsible for implementing the travel behavior change program. (CDD-P)	<p>Ceiba hosted an orientation the week of July 25, 2022. During the orientation</p> <p>(a) a travel behavior change program that targets individuals' attitudes, goals, and behaviors was shared emphasizing the benefits of walking, cycling, and carpooling as well as the importance of dropping students off at appropriate locations.</p> <p>(b) Ceiba will educate the community about impact of their travel choices and opportunities to alter their habits</p> <p>(c) Ceiba will provide a website that allows employees to research other modes of transportation of transportation for commuting</p> <p>(a) Ceiba began carpool matching program with staff during the 2022-23 school year; will begin with families during the 2023-24 school year</p> <p>(b) Ceiba will implement a bicycle program to encourage more students and staff to ride to and from school during the</p>	In Progress	N/A

		<p>2023-24 school year. This will happen in conjunction with the installation of crosswalks</p> <p>Ceiba provided cruz511.org to allow employees to research other modes of transportation for commuting.</p> <p>Head of School, Josh Ripp, and Director of Human Resources, Rachael Pedley will jointly be responsible for implementing the behavior change program.</p>		
44	<p>Carpool Matching Program. To help facilitate carpooling, School Administration staff shall distribute a carpool matching application to all students/parents and staff. The application shall be used to match people who live in the same area who may be able to carpool together. An objective of this project is to reach parents or staff who may be reluctant to reach out individually to find carpool partners and may be more likely to fill out a form that will be administered by the school. (CDD-P)</p>	<p>Ceiba implemented a carpool stipend for staff during the 2022-23 school year and will continue to provide the stipend in subsequent years.</p> <p>Beginning in 2023-24, Ceiba will provide a carpool match program to our families to encourage our families to carpool to school.</p>	In-Progress	
45	<p>Incentives or Promotional Events. To encourage students and staff to use alternative modes of transportation, such as biking and carpooling, School Administration staff shall provide incentives or host promotional events. Such incentives shall include, but are not limited to, providing subsidized transit passes or cash stipends for carpooling. Promotional events could include a monthly raffle or a point system for those who use alternative modes. TDM measures encouraging active modes of transportation will be more effective if implemented in combination with the Complete Streets to Schools Plan improvements. (CDD-P)</p>	<p>Ceiba participates annually in the “Walk and Roll to School” Event put on by Santa Cruz County. Students receive “swag,” snacks, and certificates for riding or walking to school.</p> <p>In addition, Ceiba currently provides \$150 to each staff member for every 20 days that they walk, bike, or carpool</p>	In-Progress	\$6,000

46	Bicycle Program. To encourage more students and staff to ride bicycles, School Administration staff shall provide a free bikeshare program, or give away bicycles to the students. Ceiba School currently provides bike racks located at the front entrance with a capacity of 30 bikes. During Hexagon's field observations, seven bikes were observed parked on the racks during the school day. As of May 2022, school staff reported that at most 15 to 20 people have been observed to bike to school. (CDD-P)	Ceiba will encourage more students to ride school through a bike share or bike give-away program during the 2023-24. Feedback from families was that they are eager to participate once crosswalks are fully installed.	In-Progress	\$60,000
47	Promotions and Marketing. The applicant shall make use of marketing and promotional tools to educate and inform school staff about site-specific transportation options and the effects of their travel choices. The applicant shall provide the City with the contact information for the School Administration staff member responsible for sharing educational and promotional materials with school staff. Acceptable marketing and promotional materials include any public information campaign(s) that promote awareness of Transportation Demand Management (TDM) program(s), such as the cruz511.org program run by the Santa Cruz County Regional Transportation Commission. (CDD-P)	Ceiba Head of School Josh Ripp, josh.ripp@ceibaprep.org , will provide educational and promotional materials for site-specific transportation options as well as the effects of their travel choices. These site-specific transportation option marketing materials will be posted and promoted in a timely manner.	In Progress	N/A
48	Preferential Carpool / Vanpool Parking Spaces. The applicant shall reserve a minimum of five (5) parking spaces closest to the building's main entrance as designated carpool / vanpool spaces. (CDD-B)	Ceiba will indicate via pavement lettering 5 spaces that are designated for "preferential carpool/vanpool parking."	Parking spaces will be designated carpool/van pool upon Watsonville City Council zoning approval	\$3,000

49	Transit Subsidies. The applicant shall provide school staff an option of receiving a subsidized transit fare. The applicant may provide a discounted ticket or a full-reimbursed transit ticket. (CDD-P)	Ceiba currently provides subsidized transit fare for both students and staff.	Ongoing	< \$500
50	Prohibit Use of Offsite Vacant Land for Recreational Activities. The vacant land at 228-234 Locust Street (APNs 017-162-15 and -16) is not approved as part of this Permit for use as school facility for recreational activities or any other student activities	The offsite vacant land has had a locked gate since Ceiba commenced occupancy at 215 Locust St and Ceiba students have never used the land for recreational activities.	Ongoing	N/A
51	Flood Proof Existing Building. The existing building shall be flood-proofed in accordance with the standards for reducing flood hazards set forth in WMC Section 9-2.500. (CDD-E)	Ceiba has recently completed improvements to the building, which were permitted by the city of Watsonville, to rectify water intrusion issues. Ceiba's architect believes these improvements result in the building being substantially in compliance with WMC Section 9-2.500. Ceiba will comply with this condition.	Need further information	TBD
52	Indemnity Provision. The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out Special Use Permit and Environmental Review (App. No. 1737), including but not limited to any approval or condition of approval of the City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate fully in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CAT)	Ceiba will comply	Ceiba will sign upon receipt and review.	
			TOTAL	>\$750,000



WALKING - CAMINANDO



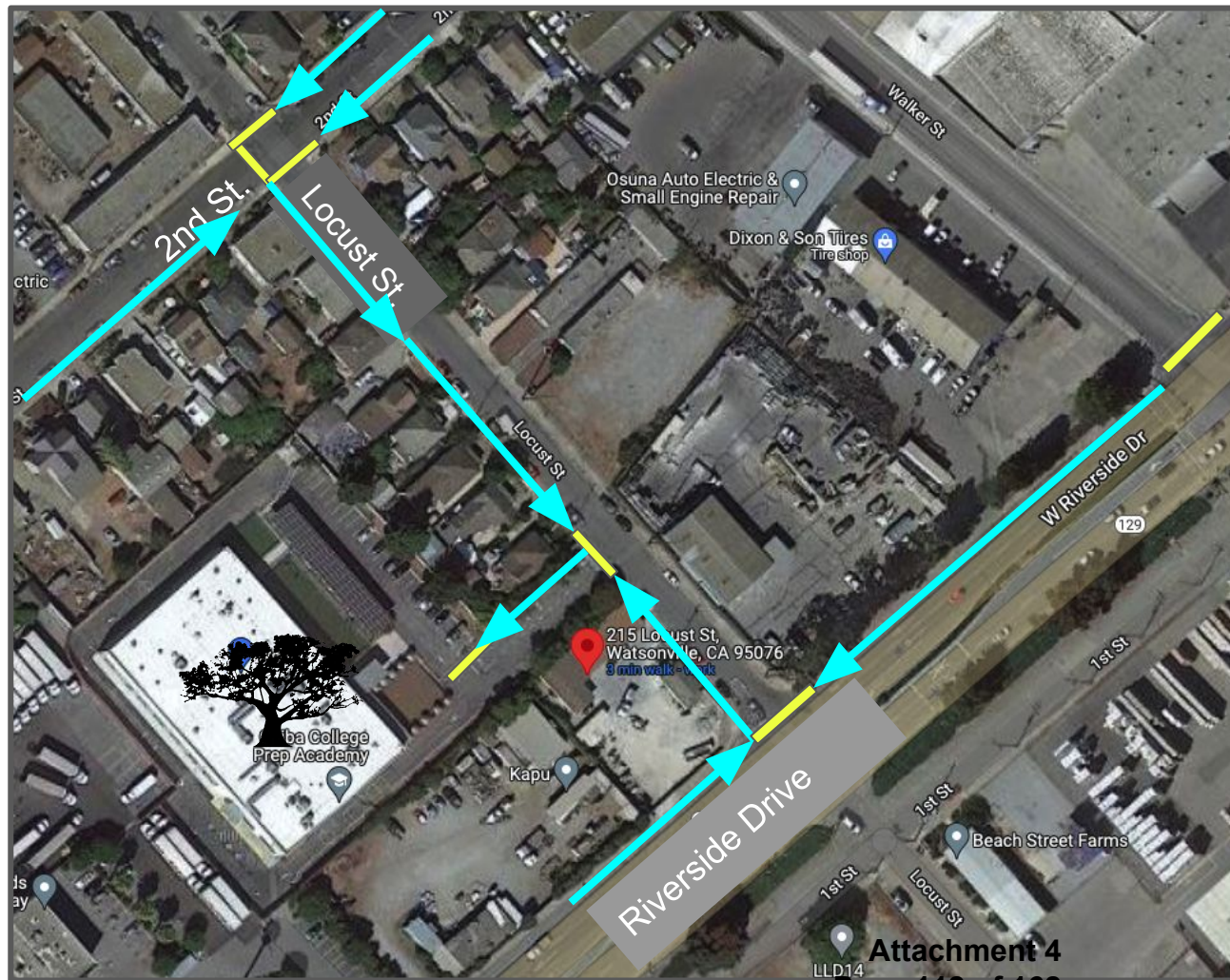
Cross at 2nd Street and Locust
Cruce en 2nd Street y Locust

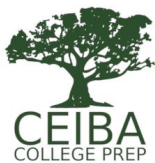
Cross at Riverside and Locust
Cruz en Riverside y Locust

**DO NOT CROSS IN FRONT OF
THE DRIVEWAY.**
**NO CRUCE POR DELANTE DE
LA CALZADA.**

**Cross at Crosswalks - Cruce
por los pasos de peatones**

**(Yellow Lines
Líneas amarillas)**





DRIVING - CONducIR



Turn **right** into Ceiba.

Gire a la derecha en Ceiba.

Turn **right** out of Ceiba.

Gire a la derecha para salir de Ceiba.

Turn **right** onto Riverside Drive.

Gire a la derecha en Riverside Drive.

Please be extra cautious at the cross walks and follow the crossing guards at all times.

Por favor, extreme las precauciones en los pasos de peatones y siga a los guardias de cruce en todo momento.

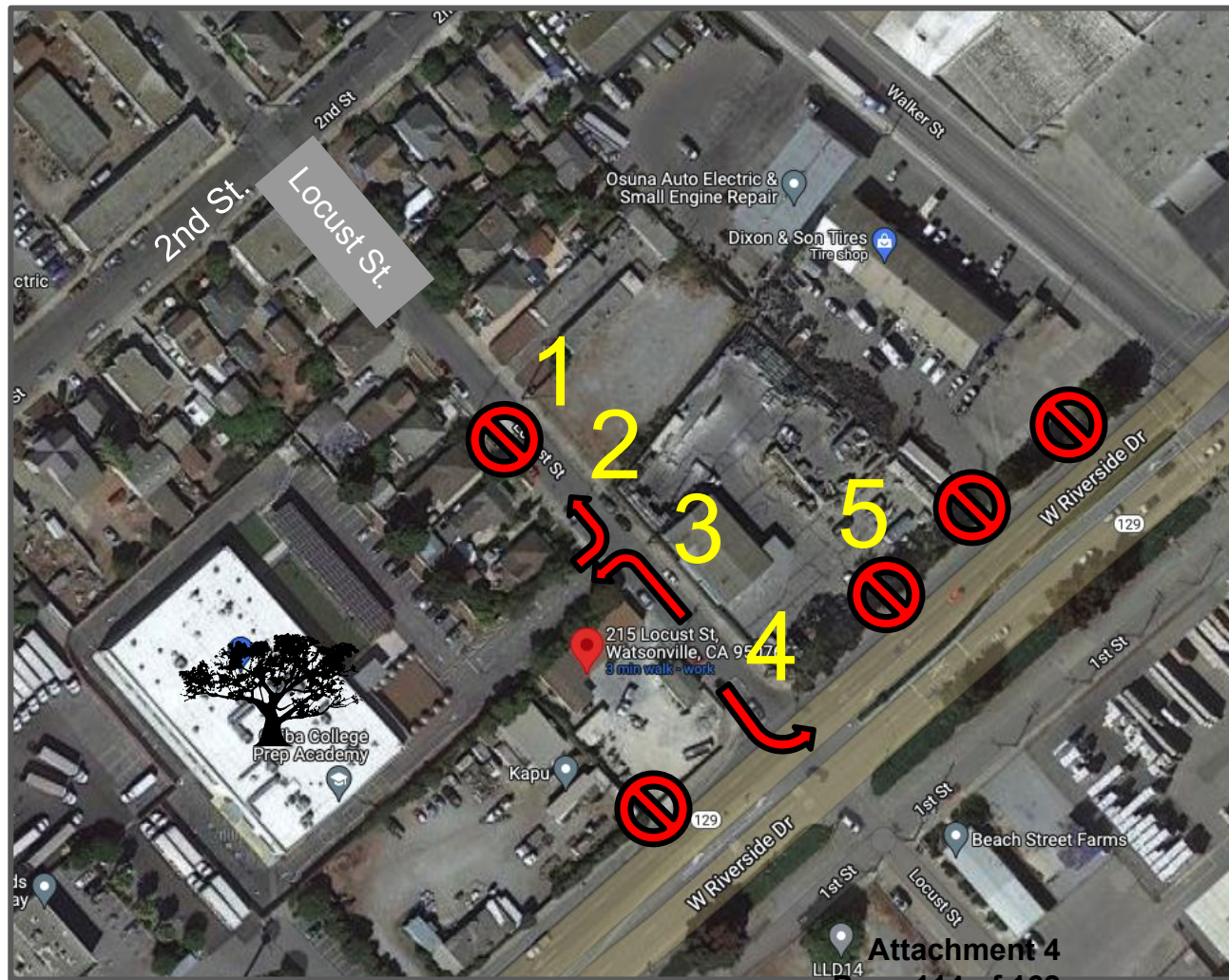
Student drop-off and pick-up

Dejar y recoger a los estudiantes





1. Do not drop off Ceiba students on Locust St.
No deje a los alumnos de Ceiba en la calle Locust.
2. Do not turn left exiting the Ceiba driveway.
No gire a la izquierda saliendo de la entrada de Ceiba.
3. Do not turn left entering the Ceiba driveway
No gire a la izquierda entrando en la entrada de Ceiba
4. Do not turn left onto Riverside
No gire a la izquierda en Riverside Dr.
5. Do not drop-off or pick-up your kids on Riverside. No deje ni recoja a sus hijos en Riverside



Ceiba Crossing Locations and Alternative Drop-Off and Pick-up Locations Lugares de paso y lugares alternativos para dejar y recoger a los alumnos

Alternative Drop-off/Pick-up Location Alternativa de entrega/recogida



- == School Crosswalk / Cruce escolar
- Crossing Guard / Guardia de cruces
- Walking Route to school / Ruta a pie a la escuela



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

FYR : The Pajaronian 2/24 Ceiba school hopes to make its Watsonville location permanent

Takashi Mizuno <takashimizuno1231@gmail.com>

Fri, Feb 24, 2023 at 2:05 PM

To: Takashi Mizuno <takashimizuno1231@gmail.com>, Eduardo Montesino <eduardo.montesino@cityofwatsonville.org>, Vanessa Quiroz <vanessa.quiroz@cityofwatsonville.org>, Ari Parker <ari.parker@cityofwatsonville.org>, Jimmy Dutra <jimmy.dutra@cityofwatsonville.org>, Tamara Vides <Tamara.vides@cityofwatsonville.org>, Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>, Suzi Merriam <suzi.merriam@cityofwatsonville.org>, kristal.salcido@cityofwatsonville.org, casey.clark@cityofwatsonville.org, maria.orocho@cityofwatsonville.org, citymanager@cityofwatsonville.org, cityattorney@cityofwatsonville.org, Justin Meek <justin.meek@cityofwatsonville.org>

PS I would like to add one more information regarding the school and the neighbourhood. I went to count the number of residential houses near Ceiba because I saw many houses near Ceiba when I visited there last year. I counted 56 residential houses. I learned from one parent that Ceiba invited the neighbours to know the school better last year and that most of them were satisfied with the school. I also learned from one administrator that several students are from the neighbourhood of the school.

Takashi

[Quoted text hidden]



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Letter to Council & others--February 28, 2023 Council Meeting --Ceiba

1 message

nick bulaich <princelazar1389@yahoo.com>
To: Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Fri, Feb 24, 2023 at 2:50 PM

Dear Irwin: Attached is letter that I would added to the City Council packet for the February 28, 2023 Council Meeting (Ceiba issue).

Can you please give a copy to each of the following individuals and departments?

City Manager
City Attorney
Community Development
Public Works
Police Department
Fire Department

If you have any questions, feel free to contact me.

Thank you,

Nick Bulaich
(831) 728-5640



Ltr to Council--Ceiba Traffic Analysis-Loop-Feb 28 2023 Meeting.pdf
4270K

305 Second Street
Watsonville, CA 95076
February 24, 2023

Watsonville City Council
275 Main Street, Suite 400 (4th Floor)
Watsonville, CA 95076

re: **Ceiba School Traffic Analysis: Zoning & General Plan Map Amendments
Agenda Item-Watsonville City Council February 28, 2023.**

Dear Council Members:

Back in 1984, the fast food restaurant named "Wendy's" ran a TV commercial having to do with the small hamburger patties being served at hamburger fast food places that were in competition with Wendy's. The commercial had two elderly ladies from "Home of the Big Bun" praising an oversized hamburger bun but then lifted up the top bun to show a very small hamburger patty on top of the oversized lower bun. A petite old lady walks up during their commentary and asks **"Where's the beef?"**

The commercial was an instant hit and increased Wendy's sales. The 80 year old lady named Clara Perler who voiced the line became famous.¹

Although all of you Council Members are younger than I am and maybe have never heard of the commercial, I do believe you can get the idea on the brief description given that Wendy's was telling the consumer that only Wendy's offers a big sized hamburger patty with one's meal.

In regards to the Ceiba College Preparatory Academy ("Ceiba") school issue, for almost 10 years, we, the neighbors of the improperly approved school, have been asking:

"Where's the Loop?"

Which "loop" am I talking about? For the Ceiba issue, I'm using the word in reference to a defined circulation path around the school building, which would include some driveway area, for automobiles to use to drop off and pick up students in order to avoid having such automobile usage spill over onto city streets causing traffic congestion onto the streets. As will be pointed out later, we actually have more questions than just "Where's the Loop", but the phrase is a good starting point.

¹ The original ad from 1984 is readily available on YouTube. Since there are numerous postings of it and there is a risk that whichever link I were to cite might get removed by YouTube, it is better for anyone interested in seeing the ad to use the following words as a search for the ad video: "Wendy's where's the beef commercial 1984"

I. History of the “Loop”

Ah, that fascinating ridiculous “loop” that just won’t go away. Let’s have a little history lesson about it.

Back in 2013, when Ceiba’s initial request to use the 215 Locust Street location for a temporary period of time for its school was before the City of Watsonville’s Planning Commission, written material was provided to the Planning Commissioners regarding the traffic flow to and from the site. It was estimated by then principal of Ceiba (Tom Brown) that the school would have “526 students in grades 6-12.”

A traffic consultant (RBF Consulting), believed to have been hired by Ceiba, submitted a “Traffic Impact Analysis” (“Analysis”) to the City which was included in the Planning Commissioners’ Packet.²

As is customary with many Traffic Analysis reports for schools, they are done for schools yet to be built or occupied, thus the consultant has to use industry standards to determine traffic impacts based on issues such as, but not limited to, number of students, number of employees, expected number of automobiles coming to the site, and existing traffic conditions.

The Analysis was filled with the usual technical jargon used by traffic consultants, observations they made, and citations of guides used in order to make some final conclusions regarding traffic to and from the site.

As has become the norm with any “professional” document or analysis prepared for Ceiba’s behalf, it was filled with mistakes and claims which were proven to be grossly defective immediately upon the opening of Ceiba’s operations.³

On page 3 of Analysis, RBF made the following comment:

“Due to the number of parking spaces available, it is anticipated that a large portion of the students will be dropped off and students will not be allowed to park on the site nor drive cars to school. To improve site circulation and eliminate queuing onto the streets, it is recommended that traffic travel in a clockwise pattern around the school building.” (Underline added for emphasis.)

Well, queuing onto the streets occurred from Ceiba’s first day of school operations at the site, so RBF’s suggestion was ineffective.

² See RBF Consulting’s “Ceiba Charter School “Traffic Analysis Report” in the packet for the City of Watsonville Planning Commission Meeting of June 4, 2013.

³ For the purpose of this topic, it simply isn’t necessary to list the various mistakes (such as number of students and staffers, and the range of grade levels at Ceiba) and all of the false claims made by RBF in their Analysis to the City, thus the focus of this letter will mainly be on the topic at hand: “The Loop”.

Then, as one of the “Conditions of Approval” (#23) prepared by City Staff, the following was stated:

School administration shall be responsible for traffic flow on the site during student drop off and pick up. No traffic back up shall be allowed onto City streets. Any issues arising from poor traffic control shall be remedied by the school upon notification from City Staff. (Underline added for emphasis.)

Oh dear, we certainly know that for over 8 years traffic was backing up on city streets on a twice-a-day basis during school operations. The “poor traffic control” was NOT “remedied”, but it is unknown if City Staff ever made any efforts to notify Ceiba about their failure to meet this required condition. I’ll let City Staff address, if they dare, on why nothing was ever done to remedy poor traffic control during the past 8 years.

From “Finding #3” of the same Staff report, it needs to also be pointed out that City Staff also made this finding:

“The proposed use will not generate pedestrian or vehicular traffic that will be hazardous with the existing and anticipated traffic in the neighborhood.” (Underline added for emphasis.)

Plugging up an entire section of Locust Street and parts of Second Street, which happened on a daily basis with Ceiba’s operations, definitely sounds like a “hazardous” situation for traffic throughout the neighborhood because, at a minimum, it makes it difficult for residents to exit or enter into their driveways which increases the odds of an accident happening.

The “Supportive Evidence” for Staff’s “Finding #3 is of interest because it cited a “traffic study” prepared by RBF Consulting:

“Although the charter school will generate more trips than the previous storage uses, a traffic study was prepared that indicated that the proposed traffic will not create impacts that warrant additional traffic control devices.” The additional traffic generated by this project will not adversely effect the surrounding neighborhood. (Underline added for emphasis.)

In the Analysis, numerous claims were made to say that the traffic at “all” the street intersections around Ceiba are anticipated to operate with very similar level of service as compared to before Ceiba’s opening at the site. These claims were quickly proven to be an epic fail in traffic analysis for the area. It prompts the question, how can we have an established traffic consultant miss to such a degree about the effects of Ceiba’s operations on the surrounding streets?⁴

⁴ Of further interest, RBF’s Analysis Report has the words “Draft Report” on its cover page. Did such language give some convenient cover for RBF if their analysis turned out to be wrong? Thus they could always claim it was only a “draft report” but there doesn’t seem to be any kind of Final Report from RBF that was submitted to the City.

II. Ceiba wants to make permanent a known failure.

Enough of 2013, let's fast forward to 2022 with Ceiba having to deal with the looming expiration of their Special Use Permit (June 2023). On April 5, 2022, the Watsonville Planning Commission heard Ceiba's request for Zoning and General Plan Map Amendments, and approval of a Special Use Permit to get a permanent establishment for their school at 215 Locust Street.

Despite 8 years of twice-a-day traffic torture for neighbors and through-traffic drivers, for some suspicious reason, Ceiba was not required to do a "traffic report" for the April 5, 2022 Planning Commission Meeting in their attempt to get permanent status for their school operations. Letters and oral input were provided to the Planning Commission in regards to numerous issues, with one of them being "traffic" related problems with Ceiba's operations.

For the meeting, Staff proposed some ideas to deal with the ongoing traffic congestion issues. In the Conditions of Approval, item #29 offered the following solution:

29. On- and Off-Site Traffic Circulation. School Administration staff shall be responsible for traffic flow to and from the site during student drop off and pick up. School staff, crossing guards and volunteers shall adhere to the SRTS plan to ensure appropriate onsite drop off and pick up locations. School staff, crossing guards and volunteers shall also ensure queuing of vehicles are onsite and traffic does not back up onto City streets, thereby avoiding causing traffic congesting and unsafe conditions. Any issues arising from poor traffic control shall be remedied by the school upon notification from City staff. (CDD-P, PWD) (Underline added for emphasis.)

Essentially, this is another way of saying a drop-off and pick-up "loop" for automobiles needs to be implemented to alleviate traffic congestion in the neighborhood. As you can see, it is basically the same concept Staff ordered back in 2013. (See "History of the Loop" on page 2 of this letter.)

This is a good moment to stop and go through a simple math exercise to point out the incapability of this "loop" concept to solve traffic congestion. If one were to measure the perimeter of the Ceiba school building and add the length of onsite roadways that connect the perimeter path, there is approximately 1000 linear feet of area that could be used for automobile travel. The length of an average automobile is about 15 feet. Adding two feet for spacing between cars, would give approximately 17 linear feet of length for the automobile plus spacing between cars. Dividing 1000 feet of roadway at Ceiba's site by 17 feet per car, would allow about 59 automobiles to queue around the building and occupy most of the onsite roadway.

It is believed that Ceiba has something like 300 automobiles coming and going on a daily basis at various spots (on and off site) to drop off and pick up students. Although the drop-off of students is a much faster process than that of picking up students, it is

easy to see that using a queue onsite could only accommodate a fraction of the number of automobiles that are part of Ceiba's daily operations. This can only mean that a sizable number of automobiles will be doing drop-off and pick-up on nearby city streets. This explains why there has been a consistent history of traffic congestion in the area.

A. Almost a mile of cars to drop-off and pick-up students!

To better illustrate the magnitude of the number of cars coming and going to the Ceiba school on a daily basis, it is helpful to present a number in a commonly used way. Taking the estimated 300 automobiles that are used to drop-off and pick-up students and multiply that number 17 (car average length of 15 feet plus 2 feet for spacing between cars) gives a total length of 5100 feet (one mile equals 5280 feet).

To put it in an easily understood perspective, the distance (using Google Maps) from the City's 275 Main Street building corner to the corner of St. Patrick's Church is approximately 2500 feet. Thus, it would take a line of cars from City Hall to the Church and back again to City Hall to handle Ceiba's daily automobile traffic.

Even with some discounting for cars using the loop, it is obvious that there are a significant amount of cars that need space to drop-off and pick-up students. That drop-off and pick-up is mainly being done by double parking cars on streets or else parking along sidewalks. This pattern was NOT presented to the Planning Commission and the public, and it is doubtful it will be presented to the Council.

Staff's proposal was for Ceiba to be responsible for ensuring the queuing of vehicles to be solely onsite and not to allow back up on city streets. It is not reasonable to believe that arriving parents to a filled onsite queue of vehicles that when directed by a Ceiba monitor to avoid backing up onto a city street that the parents will drive around the block until vehicle space frees up to enter on to the school site. Clearly, the loop is not a solution to alleviate traffic congestion.

The Planning Commission did not approve Ceiba's zoning application, and it became very apparent that Ceiba and City Staff recognized the need to try to come up with something different to address traffic congestion.

III. Planning Commission doesn't approve...no problem: *More Rot!*

Soon after the April 5, 2022 Meeting, we saw easing of the traffic congestion in the immediate area on Locust Street from Ceiba's driveway entrance. It was very easy to see what new approach Ceiba implemented to ease some of the traffic congestion: *Drop-off and pick-up of students at multiple areas away from the school.*

Numerous people have witnessed drop-off and pick-up activities occurring two, three, and four blocks away from the school. This is not a responsible way of addressing traffic congestion created by the school's operation because it simply spreads the problem around to other areas. Not only does this prove that Ceiba is incompatible to the surrounding area, but it is also extremely unfair to other residences and business operators that have to deal with an increased amount of automobiles in their immediate area.

Ceiba retained the services of Hexagon Transportation Consultants ("Hexagon") to do a "Traffic Operations Study" for their operations. The date of the completed study was June 8, 2022. Hexagon is the same entity that did a parking study for Ceiba which was presented to the Planning Commission at the April 5, 2022 Meeting. That parking study was defective, but will not be addressed in this letter.

Hexagon offered multiple recommendations to address traffic congestion. One of them was to create a new mid-block striped crosswalk at the school's driveway on Locust Street. This would add an additional crosswalk on Locust Street which would further impede traffic thus making the congestion worse.

To see a consultant like Hexagon come up with such a proposal makes one wonder. Are they incompetent or were they retained by Ceiba in an attempt to promote a "traffic related" urgency to get the City to approve the crosswalk so as to make a convenient path to the other properties (former toxic sites at 228-234 Locust Street) that Ceiba purchased across the street to build a school gymnasium? Maybe it was some other reason, but it sure has a toxic fishy smell to it.

Also recommended by Hexagon is for Ceiba to "proactively discourage double parking and enforce no drop offs or pick ups from the travel lane." Although Ceiba has had this report for over 9 months, the double parking and usage of the travel lane for drop-offs and pick-ups occur on a daily basis. We see another ineffective recommendation from a professional consultant hired by Ceiba.

Furthermore, Hexagon recommends that Ceiba look into "Transportation Demand Management (TDM)" measures for students, parents and staffers. This includes, but is not limited to, a "Carpool Matching Programs" and "Incentives or Promotional Events." None of these have any guarantees of being successful and continually implemented.

IV. Crossing Guards.

Moving on from these flawed reports, let's briefly look at crossing guards who do play an important role in trying to address only some of the traffic issues. This is an area which I have personally witnessed for the past 8+ years of the school's operations. Maybe the crossing guards mean well, but there is simply no consistency to their methods.

At times, some stand in the street and direct traffic which I believe is illegal for them to do. Some are busy talking on their phone while students are getting ready to cross streets. At times, there are no crossing guards present at the intersection and the students simply walk across the street without stopping at a stop sign.

Other crossing guards stand partially in the street to shorten their distance to stepping out to allow students to cross, but this repeatedly causes confusion for many drivers because they are not sure why the guard is in the street when no student is crossing. This causes drivers (both school and non-school related) to slow down which slows down traffic. Once again, this shows that Ceiba is incapable of solving the problems with their operations. Eight years of failure is enough.

V. Epic failure of “Loop” and the “new and approved solution.”

Now, let’s just say for the sake of the argument that Ceiba had implemented the recommendations given to them by consultants and Staff. Some days the congestion is less, but the double parking is always going on. What is the absolute best test to see if the implementation of the recommendations can work? The answer is RAIN.

When the skies open up to pour down soaking raindrops, nobody wants to get wet. The loop can only handle about a quarter of the automobile traffic. The idea of parents doing dropping off and picking up blocks away is abandoned because the students risk getting soaked in their walk to and from the school. Thus, parents need to get their automobiles as close as possible to the school, so they create a lengthy queue at multiple streets until they can get close enough to the site for drop-off or pick-up to minimize children getting wet from the rain.

What would such a sight of queuing in the rain look like? Here you go:



This photo is of the intersection of Second and Locust Streets facing eastward toward Walker Street. Automobiles are backed up all the way to Walker Street and there are more automobiles queuing on Second Street, east of Walker Street.

Within several minutes of taking this photo, a fire truck with sirens and flashing lights, apparently originating from the Second Street Fire Station, made a left-turn on Walker Street toward Riverside Drive. My thoughts at the time were if the emergency call was somewhere in the congested queuing area, how would the fire truck be able to arrive at the emergency needed site? It would not be possible because of the congestion of the traveling automobiles and the parked vehicles on each side of the street.

Again, this shows the irresponsible planning of putting a school with such intensity of students and staffers at such a small site that is accessed by a narrow street such as Locust. In the case of an emergency, it looks like the joint advice from Ceiba and the City to the residents in the area will be: "Hey, just don't have a fire, police, or medical emergency when it rains and the school drop-offs and pick-ups are going on."

Yes, there are many traffic congested areas throughout town that can be exasperating when it rains, but the difference here is that this situation is being intentionally created by the actions of Staff and Ceiba.

VI. Ceiba's "role model" of a leader.

The rainy day photo is one of the most damning photos that can be captured. However there is another photo that would be equally as bad as the rainy day photo. Wouldn't it be something to see the current principal of Ceiba, Josh Ripp, acting as a "crossing guard" on the corner of Locust Street and State Highway 129 (Riverside Drive)?

Can it really be?



Here it comes...with all those Ceiba parents parked along a very busy State Highway to pick up their kids.



There he is! And to think the closest vehicle to him is illegally parked as it is outside the striped line on the State Highway, wow!

It needs to be stressed that this photo was taken on August 2, 2022. This is after the April 5, 2022 Planning Commission Meeting when all kinds of conditions were “recommended” to alleviate problems and also after the Hexagon “Traffic Operations Study” (June 8, 2022) was completed which included an attachment with the pertinent section of the “City of Watsonville Complete Streets to Schools Plan.” In the attachment, under “Audit Observations” is the following paragraph:

“Some students are dropped off on the shoulder of Riverside Drive which parents described as hazardous. They also noted that occasional U-turns occur on Riverside Drive after drivers have dropped off students.”⁵
(Underline added for emphasis.)

Can it be that the Principal of Ceiba is standing, observing, and participating in the allowance of a condition that Ceiba parents called “hazardous”? Oh well, what else can I say, the pictures speak for themselves.

VII. “Student pedestrians”

During the September 29, 2022 “Community Meeting” jointly held by the City and Ceiba, Josh Ripp, principal of Ceiba, made a claim that an average of 128 students come to school either by walking or riding a bicycle for the 2022 school year. He presented a slide showing that 128 number and compared it to a number (40) from the RBF Report from 2013. RBF claimed that Ceiba would have “520 students (grades 1-12)”.⁶

⁵ See “Attachment B” of Hexagon’s “Traffic Operations Study” dated June 8, 2022 and “Chapter 4 of City of Watsonville Complete Streets to Schools Plan.”

⁶ See Page 1 of RBF Report that was part of the June 4, 2013 Watsonville Planning Commission Packet. To be clear, Ceiba was not operating “grades 1-12” but this is Ceiba connected report so don’t expect too much accuracy in it.

On the same page of the Report, RBF stated that “it calculated that 11% of the student population lives with ½ mile radius of the school and 70% of those students will walk or bike to school.” (Underline added for emphasis.)

Thus, one can use a rather simple math formula to figure out how many students “will walk or bike to school” which is shown below:

$$520 \text{ students} \times 0.11 (11\%) = 57.2 \times 0.70 (70\%) = 40 \text{ students}$$

Obviously Ripp was trying to show at the Community Meeting that Ceiba has greatly improved their student pedestrian and bicycling totals by presenting the new greatly increased number of 128.

A key fact to consider is that the RBF number was based on modeling, NOT an actual measurement of student activity due to the fact that Ceiba was not yet open at the 215 Locust Street site.

During the oral communications of that meeting, I specifically asked Mr. Ripp how did he determine that a student was counted as a pedestrian for his actual 2022 pedestrian count. Despite the fact that I posed the question because of a statement and slide made in HIS presentation, Ripp refused to answer the question.

This is an important point. It appears that Ceiba has recently implemented a program in which parents are dropping off and picking up students along various other streets and areas away from the school. It also appears that Ceiba’s traffic consultant might be counting students as “pedestrians” even if they did not walk from their home to school. It is extremely deceptive to say a student is a “pedestrian” if the student was dropped off one block or more away from the school.

Obviously this can make a Consultant’s “report” terminally defective in regards to the true number of student pedestrians. Ripp’s refusal to answer the question simply further proves Ceiba’s lack of credibility in information presented to the City and public.

Here we are, five months after the Community Meeting and I still haven’t received an answer to my question. Based on my previous observations on the way many government officials deal with questions from the public, I tend to believe the February 28th Council Meeting will bring up the question and that Staff or Ripp will present the “question” but it will either be misstated or misinterpreted. Remember, Ripp was making a comparison to the 2013 Report that was clearly talking about students walking or bicycling to school.

Let’s not play games, it is extremely deceptive to call a student being dropped off a block or two away (maybe more) who then “walks” to school a “pedestrian.”

It should be interesting how Staff or Ceiba answer my actual question, or maybe they’ll just ignore it.

VIII. You want to use the “fire lane” for what?

There is another important point to bring up regarding the loop concept. Most of the perimeter around the building has been designated as a fire lane. (See Attachment “A”)

With this being a fire lane and also the proposed loop for queuing of automobiles for drop-off and pick-up purposes, is the effectiveness of the fire lane compromised on a twice-a-day basis?

Ceiba is doing a new application process with the City in order to get amendments to the City’s Zoning Map and General Plan Map, in addition to seeking a Special Use Permit to operate their school on a permanent basis. With that understanding, it appears that the Police and Fire Departments would need to look at the proposal.

Hexagon’s “Traffic Operation Study” (June 8, 2022) shows an aerial photo of the school site with superimposed pictures of automobiles on the photo to the queuing and direction of the loop. (See Attachment “B”)

If the loop were used as planned, basically the entire perimeter of the building would be occupied by automobiles. Under such a scenario, the building’s fire lane would not be usable for fire trucks or possibly even police vehicles. It is understood that police vehicles tend to be the size of above average sized automobiles, so their vehicles might be able to maneuver to get close enough to a police emergency on the site.

But with a fire emergency, fire trucks vary in size, and for the ones with the capability to put out fires, they can be very large. I fail to see how any fire truck, arriving for an emergency fire call, would be able to access the site with a partial or full queue of automobiles in place, and even worse, if Locust Street, and maybe Second Street too, are congested with Ceiba related automobiles.

Due to the fact that it is readily apparent that City Staff has supplied Planning Commissioners and the public with incomplete and defective reports (both in 2013 and 2022) and that Ceiba, with their consultants, have provided the City with severely defective studies, it certainly seems like the Police and Fire Department might have received the same defective information.

If these two crucial Departments received incomplete and defective information that was used to base their opinion of support of any Use Permit Condition of Approval for the 2013 and 2022 Planning Commission Meetings and for the upcoming Council Meeting, that would create a serious issue that would have to be addressed and corrected, quite possibly by having to start the process all over again with the Planning Commission.

Since this is a new application on Ceiba’s part, the Police and Fire Departments should opine on the issue since it is in their approval authority.

IX. The latest round of “solutions”: *Watch out neighbors!*

For the past 11 months, I have heard or read various solutions offered to address some of the issues with this project. Here are some of them with comments to directly follow:

- 1) **“City issues parking permits”**: The idea of the residents having to get City parking permits in order to stop Ceiba students or employees from parking in our neighborhood is not acceptable. The neighboring residents should NOT be stuck with such a requirement to accommodate one operation that has been disrespectful to the neighbors since its inception.
- 2) **“Drop-offs and pick-ups on other streets”**: Just over one week after the April 5, 2022 Planning Commission Meeting, a higher official from Hexagon sent the following email to Ceiba’s real estate advisor:

“Justin mentioned two possible sites for off-site drop-off and pick-up: one on First Street and one on Pine between 2nd and Watson where there is a large vacant lot (currently designated as industrial).” (See Attachment “C”)

It is believed the “Justin” mentioned in the email is Justin Meek, the City’s Principal Planner.

For over 8 years we have been fed lines about how the loop will solve the traffic problems and now the City has a solution to designate numerous streets for drop-off and pick-up. So, everything about required on-site drop-offs and pick-ups was merely a deception! This reflects poorly on the City.

On June 13, 2022, Adolfo Gonzalez (City Traffic Operations Manager) said this: **“All drop off/pick up must occur on site...”** (See Attachment “D”)

Soon after that email, Adolfo apparently forgot his earlier statement from June 13, 2022 and is now suggesting something different:

“Identify a section of Second Street between Walker and Locust Streets that could serve as an off-site drop-off and pick-up location.”

“Note that the City shall paint the curb as a temporary loading zone and install signage to indicate no parking may occur during the school’s drop-off and pick-up periods.” (See Attachment “E”)

It is unknown how many linear feet would be painted as a temporary loading zone that is reserved for Ceiba, but it is rather apparent that it would be something less than 100 feet which could only, at best, accommodate something like 6 vehicles, unless they start to queue in the street.

Wow, what a solution! **The way to avoid queuing on the street is to create a plan that will...create queuing on the street!**

It's doubtful that City Staff realizes that their actions only further prove that Ceiba's operations are not compatible with the neighborhood.

I'm not aware of any of business or resident that gets the City to create a newly painted loading zone that is specifically for one incompatible entity. Ceiba would be getting a special preference in an attempt to lessen their ongoing traffic problems, but by having the ongoing traffic problems from poor site location only proves that the school is incompatible with the neighborhood.

Who knows, maybe City Staff will suggest multiple newly painted loading zones. Heck, why not just say all street parking on surrounding streets will be reserved for Ceiba. Seriously, this is simply not fair to the neighborhood to come up with such loading zone proposal.

- 3) **"Surprise Time"**: Since the residents, business owners, and property owners are kept in the dark of the dealings going on between the City and Ceiba, this numbered item will be reserved for whatever "new improved solution to Ceiba's traffic problems." All I can say here is for our neighbors to be prepared for a "surprise."

X. Questions...Questions...Questions.

You see, this issue has shown that there are many more questions that need to be asked other than "Where's the Loop?" Here are some:

"Where was the City's enforcement against Ceiba's overt disruption to an entire neighborhood for the past eight years?"

"What is the reason for this project being improperly approved in 2013?"

"Why are traffic and parking standards being ignored for Ceiba's benefit?"

And worst of all but very important: ***"What is really going here?"***

Somebody needs to explain how so many government officials and professional consultants supported and allowed this "temporary" mess to not only continue for over 8 years, but to now see the same caliber of people want to make the mess permanent.

XI. Conclusion.

Returning to the Wendy's "Where's the Beef" TV commercial, it ends with Clara Perler saying "**I don't think there is anyone back there.**" Apparently she was referring to the people that supplied the undersized burger on the oversized bun because they are not responding to her question about "Where's the Beef?" so maybe there just isn't anyone there to deal with her question or else they want to avoid her.

Clara's ending line is once again fitting with the Ceiba issue in that "we don't think there is anyone back there among City Staff" to end this destruction of our neighborhood by just one very bad and disrespectful operator.

This entire affair has been a tragedy and great embarrassment. Just think how many taxpayer dollars have been wasted pushing the passage of a horrible and irresponsible project that was dumped into a lower-income area made up of many immigrants, some with limited or no English language capabilities.

Additionally, Staff should have been the ones protecting this neighborhood because, with all of their professional experience, they should have known better. Now it is left to the Council to correct this wrong.

It would be really nice to see all SEVEN Council Members vote to end this mistake and injustice that has been done to our neighborhood and send a message to any other bad operators that our City is not the place to violate sound planning and zoning rules.

Sincerely yours,

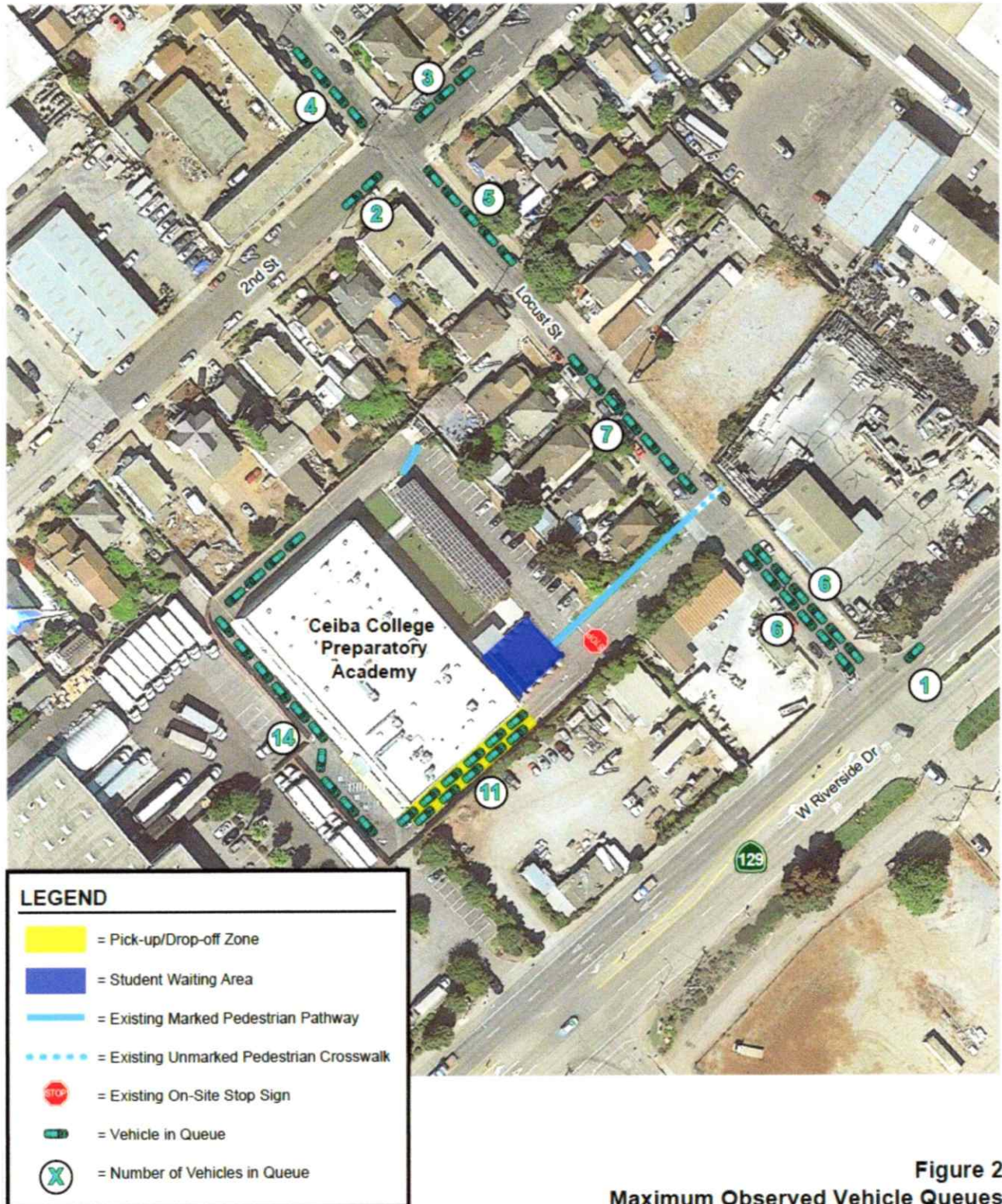


Nick Bulaich
(831) 728-5640

Attachments (5)

cc: City Manager
City Clerk
City Attorney
Community Development
Public Works
Police Department
Fire Department
Register-Pajaronian

ATTACHMENT B



ATTACHMENT C

From: Michelle Hunt <mhunt@hextrans.com>
Sent: Wednesday, April 13, 2022 3:36 PM
To: Elizabeth Sanborn Falcon <esanborn@pacbell.net>
Subject: RE: Ceiba School Watsonville

Justin mentioned two possible sites for off-site drop-off and pick-up: one on First Street and one on Pine between 2nd and Watson where there is a large vacant lot (currently designated as industrial). It seems that it would be worthwhile to discuss Justin's ideas with Ceiba. Also, would Ceiba be open to using the Chevron site as a drop-off/pick-up area as an interim solution while the school seeks for approval of the gym and a different off-site drop-off/pick-up location? It could still be used for recreation during the middle of the school day and before/after the peak drop-off/pick-up periods.

What was the City's response to a mid-block crosswalk between the school and outdoor recreation area? Should we expand our scope to study that? We would need a count of traffic volumes on Locust Street and would need to evaluate how a crossing guard or beacon would affect traffic operations on Locust Street.

Michelle Hunt

Vice President and Principal Associate

Hexagon Transportation Consultants, Inc.

San Jose | Gilroy | Phoenix | Pleasanton

NOTE NEW OFFICE ADDRESS:

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www.hextrans.com

Please consider the environment before printing this material.

ATTACHMENT D

On Mon, Jun 13, 2022 at 2:17 PM Adolfo Gonzalez

<adolfo.gonzalez@cityofwatsonville.org> wrote:

Hello Justin,

My comments are the same as Maria's. All drop off/pick up must occur on site, the conditions of approval specifically state the improvements that the school must implement. The traffic study confirms the City's position that parents dropping off/picking up on Locust Street is the cause of congestion on Locust St.

Adolfo Gonzalez

Traffic Operations Manager

Public Works & Utilities

320 Harvest Drive

Watsonville, CA 95076

831-768-3140

adolfo.gonzalez@cityofwatsonville.org

ATTACHMENT E

CITY RECOMMENDATIONS

Organize the SRTS plan document into individual sections with the following intended audiences.

- Revise the SRTS plan document to include the following four sections
 - Drop-off & Pick-up Procedures (*intended audience: parents*)
 - Crossing Guard Practices/Procedures (*intended audience: guards & parents*)
 - Annual Review Procedures (*intended audience: City staff*)
 - Addressing Neighbor complaints (*intended audience: residents/businesses*)

Incorporate the following information into the document.

- Drop-off & Pick-up Procedures
 - Use the 2014 SRTS plan as a starting point
 - Build off this plan to help parents understand what their responsibilities are and how they should be ensuring their students are getting to/from school
 - Incorporate updated driving direction maps in English and Spanish.
 - Revise the onsite circulation plan as shown in the attached maps and described below:
 - Stripe a double yellow centerline (Caltrans Detail 22) on driveway entrance to establish direction of travel.
 - Install a One Way sign on chain link fence at drivers eye level for traffic traveling into the school and stopping at the student crossing location.
 - Post a portable international symbol NO LEFT TURN sign for vehicles exiting the school driveway.
 - Include an optional off-site drop-off and pick-up location.
 - Identify a section of Second Street between Walker and Locust Streets that could serve as an off-site drop-off and pick-up location
 - Note that City staff shall paint the curb as a temporary loading zone and install signage to indicate no parking may occur during the school's drop-off and pick-up periods.
 - Note that Ceiba shall encourage parents to use the optional off-site drop-off / pick-up location to reduce traffic congestion on Locust Street and allow children to follow a designated safe route to school from this off-site drop-off location



FEB 24 '23 PM 3:00

Received
Watsonville
City Clerk

February 24, 2023

Watsonville City Council
City of Watsonville
275 Main Street
Suite 400 (4th Floor)
Watsonville, CA 95076

**Re: Ceiba College Preparatory Academy Zoning Amendment Agenda Item of
February 28, 2023 Watsonville City Council Meeting**

Dear Honorable Mayor Montesino and Council Members:

Attached is a Traffic Engineering Study and Review that I have prepared regarding traffic issues surrounding Ceiba Charter School.

This is submitted as a professional analysis to guide the Council in deciding the referenced zoning application.

Sincerely,
PRISM Engineering

A handwritten signature in black ink, appearing to be "G. Johnson", written over a horizontal line.

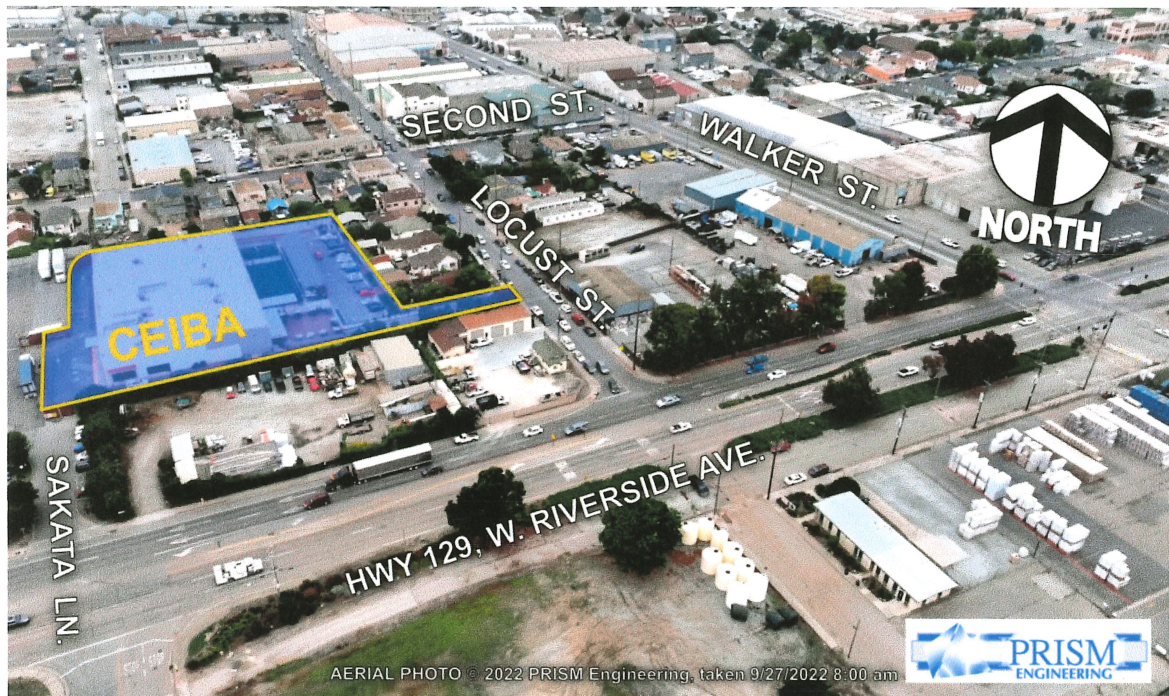
Grant P. Johnson, TE
Principal

Attachment

cc: Rene Mendez, City Manager
Suzi Merriam, Community Development Director

TRAFFIC ENGINEERING STUDY / REVIEW

Relating to Ceiba College Prep School Traffic Operations and Associated Safety Issues



Prepared for:

Ilia and Marta Bulaich, Watsonville, CA 95076

February 23, 2023

Prepared by:



This report has been prepared and certified by Grant P. Johnson, TE, Principal. Lic #1453

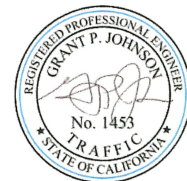


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APPENDIX 18

INTRODUCTION

PURPOSE OF THIS STUDY. PRISM Engineering was hired to conduct a comprehensive traffic review of the current traffic operations situation surrounding the CEIBA College Preparatory Academy, a charter school located at 215 Locust Street operating under a temporary use permit in an industrial zone frequented by large trucks, including semitrucks. The CEIBA driveway on the narrow Locust Street is very busy at peak hours (both am and pm) and is located only a mere 160 feet north of the Highway 129 (W. Riverside Ave.) curb face, a distance so small as to make all school driveway traffic keenly intertwined with the operations of Highway 129 at or near to the Locust Street unsignalized intersection and its associated highway traffic which includes numerous large and heavy semitrucks some weighing 80,000 pounds fully loaded.

STOPPING SIGHT DISTANCE EXPLAINED. This important and little understood factor is addressed here because it is so important to the need for improved safety along Highway 129 near Locust Street. Basically, a large fully loaded truck can take up to twice as far to brake to a stop compared to a car, just like the physics principle that a long train going only 50 mph must travel about a mile while braking before it can come to a full stop (due to its extreme weight and momentum). This is why trains always crash into a vehicle crossing the tracks at the wrong time. A semitruck going 50 mph can need up to 700 feet to come to a complete stop¹ (comprising of 1) perception time² + 2) reaction time + 3) braking time), when compared to a conventional passenger car as represented in Table 201.1 (see at right). That table indicates that 430 feet of stopping sight distance is needed at 50 mph. Even going only 25 mph, a car needs about 150 feet to stop, and a semitruck needs about 250 feet to stop.

**Table 201.1
Sight Distance Standards**

Design Speed ⁽¹⁾ (mph)	Stopping ⁽²⁾ (ft)	Passing (ft)
10	50	---
15	100	---
20	125	800
25	150	950
30	200	1,100
35	250	1,300
40	300	1,500
45	360	1,650
50	430	1,800
55	500	1,950
60	580	2,100

¹ See Figure 6, "Comparison of stopping sight distance requirements for trucks with AASHTO criteria" in US Transportation Research Board (TRB) publication found at:

<https://onlinepubs.trb.org/Onlinepubs/trr/1989/1208/1208-005.pdf> and also shown in the Appendix as Exhibit 1.

² AASHTO Stopping Sight Distance criteria has been defined based on different speeds and is well documented in the Caltrans Highway Design Manual Table 201.1. However, large trucks take a little longer to stop depending on speed. At 50 mph a semitruck takes up to 700 feet to stop.

NOT ENOUGH DISTANCE. Along Highway 129 between Walker Street and Locust Street there is not enough distance for large truck to stop if a car pulls out mid-block (only 200 feet from Walker). These large semitrucks are currently mixing with parking maneuvers of passenger cars while passing at high speeds on Highway 129 at very close proximity (a matter of a few feet away). These parking maneuvers labeled as student “Drop Off” and “Pick Up” are really just parallel parking maneuvers which are difficult to safely do under almost any circumstance when traffic is on the road. These parking maneuvers are taking place at random areas along the entire westbound section of Highway 129 between Walker Street and Sakata Lane, an 800 foot distance. Truck drivers are faced with trying to avoid these near misses of small vehicle darting to as stop, and darting out, and some making U-turns and quickly darting to the edge of Highway 129 every single day. These people are often late for school, competing with others for the same space, or are in a hurry to get on to work, etc. I was able to observe numerous situations where near misses happened and was able to document with video these same events. An entire contiguous 72 minutes of aerial drone video of these streets was captured, showing the events on Highway 129, Locust Street, 2nd Street, and even Walker Street.

TRUCKS CAN NOT STOP IN TIME. The distance between Walker Street and Locust Street on Highway 129 is only 410 feet, curb to curb (the area where student drop off and pick up is taking place daily on the first segment, and while proximate to large semitrucks traveling adjacent at high speeds). Since student drop off and pickup maneuvers are occupying the entire distance of these block faces, randomly spaced, a truck driver may have no time to 1) perceive, 2) react and 3) brake, especially if it takes up to 700 feet to get this done in a typical 50 mph stopping scenario and there is only typically 200 feet or less from the front of a truck to the passenger vehicle that happens to make a pull over or pull out parking maneuver mistake. If the drivers of any one of these drop off vehicles carrying students makes a mistake in either stopping to “drop off” or in pulling out after, the truck will NOT be able to stop in time, and a severe accident will occur, likely fatal at these speeds. The truck is extremely unforgiving to a passenger car in a rear-end or broadside collision.

SAFETY SHOULD BE FIRST. These are the kinds of concerns that this traffic study will be addressing. These are safety issues, and it is not possible to mitigate these safety issues on Highway 129 any more than it would be possible to properly mitigate a high speed freeway to allow use of its shoulder lane to drop off pedestrians while large trucks pass by at high speeds. Even the slightest deviations and drifting towards cars making such maneuvers would result in fatalities in the case of collision. Caltrans would never consider this as an option no matter the number of pedestrians that need to exit vehicles, they would install an off-ramp first, because it is a significant safety issue to mix parking with high speed traffic, and there is no standard in transportation to allow for such a high risk situation, certainly not in putting chaotic school traffic into the mix.

AN UNMARKED STREET WITH VISUAL CONSTRAINTS. There are no pavement markings for cars or pedestrians along Locust Street, excepting a stop bar to accompany the stop sign at Highway 129. Because Locust Street is a very narrow road in an industrial zone (34 feet), and also because cars are parallel parking on both sides of the street (occupying about 8 feet of road width per side, 16 feet total),

TRAFFIC REVIEW OF CEIBA COLLEGE PREP SCHOOL

the remaining 18 feet in the middle must be shared by vehicles traveling in both directions. This means that there is a mere 9 foot lane of space for each direction, far too narrow to be safe especially with no shoulder, just a parked vehicle one foot away. There is no room for error. It is not dissimilar to driving through a concrete tunnel that has no shoulders because there is no room for error. The tunnel is usually providing at least a 12 foot lane with centerline striping, while Locust Street has no such striping and only has about 9 feet available in each direction (depending on the width of cars or trucks parked). Cars pass each other close enough to risk bumping car mirrors. All vehicles travel very slow, under 5 mph with these conditions, and the stress level in driving is very high due to the possibility that a parked car could enter the lane, or a parked car door may open, or a child pedestrian may dart through cars and not see an oncoming car. The sight distance constraints for drivers is keenly high, and the comfort/confidence level is low, that they can safely pass without incident. Situations like this where a driver cannot adequately see pedestrians crossing the street are outside of the realm of safety, let alone a "Safe Route to School" plan.

ANALYSIS OF TRAFFIC OPERATIONS RELATED TO THE CEIBA SCHOOL

VEHICLE SPEED SURVEYS USING AERIAL VIDEO AND STOPWATCH. When speed surveys are done by radar speed guns, the highest speed attained is recorded, even if it was only for a second or two. In our survey we calculated the average speed of a free-flow vehicle and recorded that value, paying no attention to the highs or lows of the two block distance traveled on southbound Highway 129 (W. Riverside Ave.) from Walker Street to Sakata Lane. 40 samples were measured, taking care to only sample a "free flowing" vehicle so that it would truly represent the speed that a driver would take if there were no restraints or blockage on the roadway. The speed was calculated based on the factor of 60 mph = 88 feet per second. By calculating the seconds it took for a vehicle to travel from the Walker Street crosswalk to the first curb of Sakata Lane, a distance of 800 feet, the speed can be calculated by the following formula:

$$\text{MPH} = (800 \text{ FT} / \text{X SECS}) * (60 \text{ MPH} / 88 \text{ FT} / \text{SEC})$$

In Figure 1 below it shows the various average speeds that were sampled and calculated from seconds (measured to the 1/10 of a second using a stopwatch) and computed into miles per hour (mph).

These are not the highest speeds observed (a radar speed survey would report the highest speed of any vehicle sampled), but these are the average speeds of a single vehicle over the entire two block distance of 800 feet. This means that the highest speed of each vehicle is not shown (which would be shown and used to set speed limits).



FIGURE 1. AVERAGE SPEEDS OF FREE FLOW VEHICLES, WB ON HIGHWAY 129 (W. RIVERSIDE)

Even so, the average speed of these vehicles was 44 mph, but if this were a radar speed survey the speed values would be higher, and especially since the 85th percentile of these average speeds is about 50 mph. A California Traffic Engineer would recommend setting the speed limit at 50 mph, but Caltrans has it set at 45 mph. If the highest speeds observed by radar were used to set the speed limit, there is no doubt in my judgment that the radar speed survey would have an 85th percentile speed of 55 mph or higher, since the average speeds which we measured put it at 50 mph.

What does this mean? It means that the vast majority of drivers deem it reasonable and safe to travel at a speed of at least 50 mph on westbound Highway 129 (W. Riverside Avenue) between Walker Street and Sakata Lane, and if a full radar survey were taken, this value would be 55 mph (because that is indeed what many drivers are doing today). This four-lane arterial highway with median is not a safe place to mix large volumes of high speed vehicles and trucks with school traffic and pedestrians (or bikes), especially at an uncontrolled intersection with Locust Street. A signal would help, but at being only 400 feet away from Walker Street, would never be recommended for installation (too close, would have to be interlinked, and would significantly disrupt Highway 129 flows, which are already backing up). The CEIBA school's traffic is adding to the already significant congestion and backups taking place on Highway 129 (W. Riverside Avenue) for non-school related traffic. Figure 2 is an example of a backup taking place during school hours. It can be seen that traffic is "stop and go" conditions and would be very difficult for any car to enter this stream safely from Locust Street.



FIGURE 2. PM PEAK BACKUPS ON HWY 129 EB, AROUND 4 PM WHEN CEIBA SCHOOL LETS OUT

SAFETY ISSUES AND DOCUMENTATION OF TRAFFIC HAZARDS

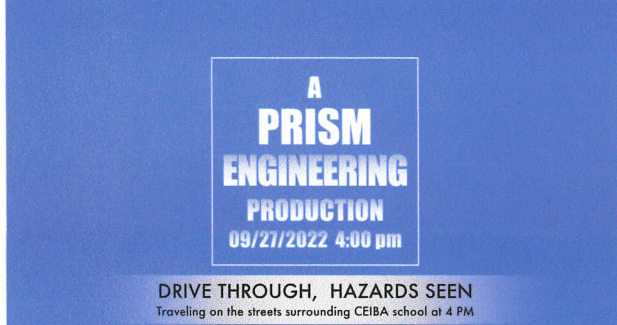
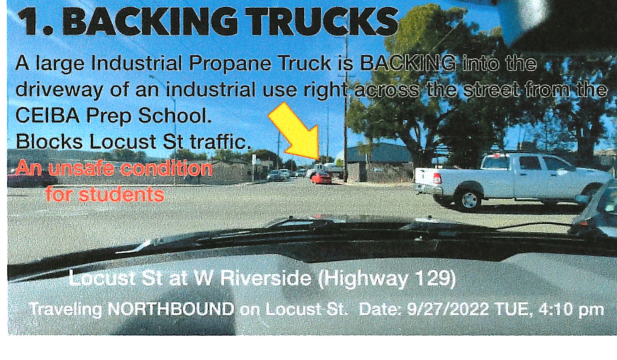
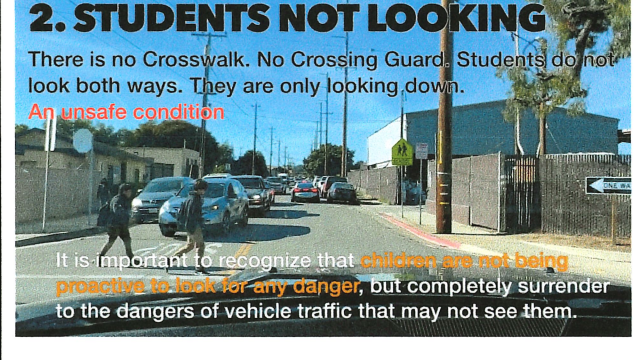
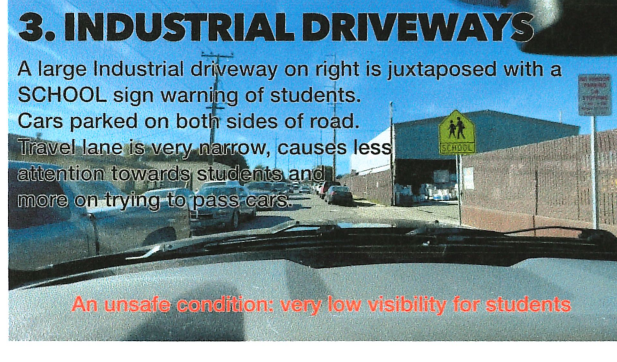
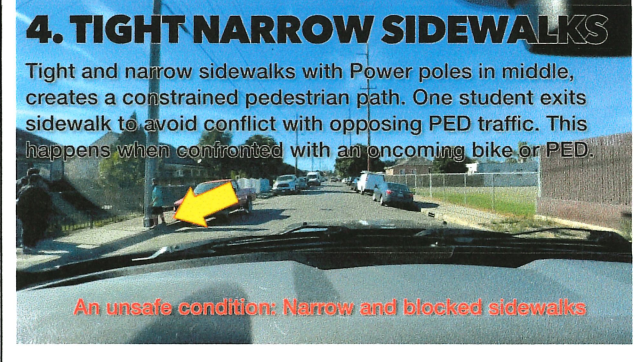
This section of the report documents the numerous unsafe conditions that were taking place on a random sample day, a Tuesday, September 27, 2022 during CEIBA school arrival times (automobile activity begins at 7:30 and continues to around 8:30 am) as well as departure times (automobile activity related to student pickup varies between 3:30 and 4:30 pm).

Sometimes when parents are late or in a hurry to drive children to school, careless driving mistakes can be made especially with U-turns, left turns, pulling over to park on a busy high speed arterial, or pulling out of a parking maneuver after dropping off or picking up a child from school, and then accelerating into traffic to avoid collisions. Changing lanes to get over to the inside lane to make a U-turn at Sakata Lane, etc., is also a travel path that is fraught with potential conflicts from other parents doing the same things. There is numerous turning movement conflict potential between cars, let alone when throw young pedestrians into the mix, as well as a large semi-truck and trailer weighing 80,000 pounds, or other industrial trucks using Locust Street in the industrial zone there. Truly this situation is a serious accident waiting to happen. There is significant potential for a rear end accident due to parents pulling over to the curb in a narrow 8 foot "lane" which is not really a lane, nor is it designated parking (no signage as such), it is merely an edge line with the inside area possibly serving as emergency parking such as also exists on freeways, but it is not a lane. The implementation of the edge line striping shows that it has a curved taper back to the curbs at the corner of Highway 129 and Locust Street, and it was never intended to be used for parking, let alone an active drop off and pick up zone for cars with young

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students. The situation is dangerous and not recommended especially with the mix of high speed semi-trucks and other high speed vehicles.

DRIVE THROUGH SURVEY OF ROAD HAZARDS, A REAL WORLD EXPERIENCE. In the drive through dash cam screen shots that follow in Figure 3 (multiple pages), a story is told that while on a simple 10 minute random drive through of the local roads surround CEIBA school, that over a dozen hazardous situations presented themselves shortly after school let out on a Tuesday, September 27, 2022.

	<p>An amazing thing happened. Over a dozen critical and dangerous traffic conditions manifested in a relatively short drive through, all captured on camera, and illustrating the various dangerous road conditions that exist every day.</p> <p>These incidents support the premise that the CEIBA school is located in the wrong location and zoning. Industrial traffic surrounds the school, large vehicles and trucks and trailers.</p>
<p>1. BACKING TRUCKS</p> <p>A large Industrial Propane Truck is BACKING into the driveway of an industrial use right across the street from the CEIBA Prep School. Blocks Locust St traffic.</p> <p>An unsafe condition for students</p>  <p>Locust St at W Riverside (Highway 129) Traveling NORTHBOUND on Locust St. Date: 9/27/2022 TUE, 4:10 pm</p>	<p>2. STUDENTS NOT LOOKING</p> <p>There is no Crosswalk. No Crossing Guard. Students do not look both ways. They are only looking down.</p> <p>An unsafe condition</p>  <p>It is important to recognize that children are not being proactive to look for any danger, but completely surrender to the dangers of vehicle traffic that may not see them.</p>
<p>3. INDUSTRIAL DRIVEWAYS</p> <p>A large Industrial driveway on right is juxtaposed with a SCHOOL sign warning of students. Cars parked on both sides of road. Travel lane is very narrow, causes less attention towards students and more on trying to pass cars.</p> <p>An unsafe condition: very low visibility for students</p> 	<p>4. TIGHT NARROW SIDEWALKS</p> <p>Tight and narrow sidewalks with Power poles in middle, creates a constrained pedestrian path. One student exits sidewalk to avoid conflict with opposing PED traffic. This happens when confronted with an oncoming bike or PED.</p> <p>An unsafe condition: Narrow and blocked sidewalks</p> 

5. CARS DOUBLE PARK

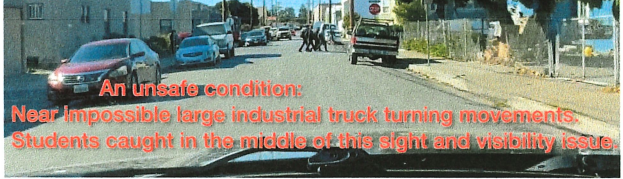
Cars double park, or block the roadway so that if there are cars coming both directions, they cannot pass each other.



An unsafe condition: Takes away attention from student pedestrians. Impossible Streets due to lack of width.

6. NO CROSSWALK

Students crossing street with no marked crosswalk. Intersection is already too narrow for industrial zoning area with large trucks that have difficulty making turns here, let alone trying to avoid conflicts with student pedestrians (or crowded vehicle situations).



An unsafe condition: Near impossible large industrial truck turning movements. Students caught in the middle of this sight and visibility issue.

7. STOP & GO TRAFFIC

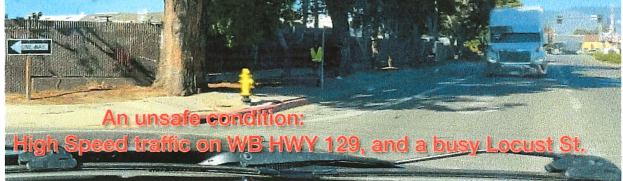
NB HWY 129 (W. Riverside Ave.) at Sakata Ln., it is difficult to get into stream of traffic. A generous driver lets me in. Trying to get over to left turn pocket was challenging, again a generous driver let me merge over...



An unsafe condition for picking up kids in afternoon around 4 pm. Too much congestion on HWY 129 northbound.

8. SEMI-TRUCK DANGER

Fast approaching me at estimated 50 mph. If I could not get in to Locust St. due to backing because of industrial driveway blocking and school traffic, I would probably have been struck broadside by the SEMI TRUCK.



An unsafe condition: High Speed traffic on WB HWY 129, and a busy Locust St.

9. APPROACHING 2ND STREET

Traffic is backing up at this simple 2-way STOP intersection (2nd St. is uncontrolled). The width is very narrow and nearly impossible for large vehicles to turn here, unless the intersection is empty.



An unsafe condition: Large vehicles navigating this intersection may not see children crossing.

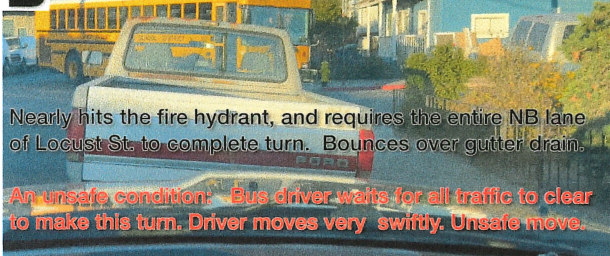
10. SCHOOL BUS TURN



The school bus will turn left from 2nd St. onto SB Locust St. after letting students off into their neighborhood.

10. SCHOOL BUS TURN

B school bus can barely fit.



Nearly hits the fire hydrant, and requires the entire NB lane of Locust St. to complete turn. Bounces over gutter drain.

An unsafe condition: Bus driver waits for all traffic to clear to make this turn. Driver moves very swiftly. Unsafe move.

10. DOES NOT FIT THE ROAD



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11. LONG WAITS AT WALKER ST

It was difficult to get a safe gap in traffic to either enter or cross Walker St. from 2nd St. going east. This very busy street is even more difficult for a student to safely cross especially since there is no crosswalk or stop sign for Walker Street.

An unsafe condition: Students cross this street at a pace much slower than my vehicle did. Vehicles are traveling fast on this road due to its generous width and no stops.

12. STUDENTS WALKING

Three students are walking on 2nd St. going east, and they did cross Walker, and pass through the Locust St. and 2nd St. intersection which is also unmarked, crowded, and frequented with very large vehicles and tight spaced cars.

An unsafe condition: Students are required to navigate dangerous crowded intersections and cross high speed roads with no provision for their right-of-way in crossing.

13. 4-WAY STOP @ RODRIGUEZ

Traveling via Rodriguez back to HWY 129 or W. Riverside Ave. Make right and go west on HWY 129. 25 mph speed limit.

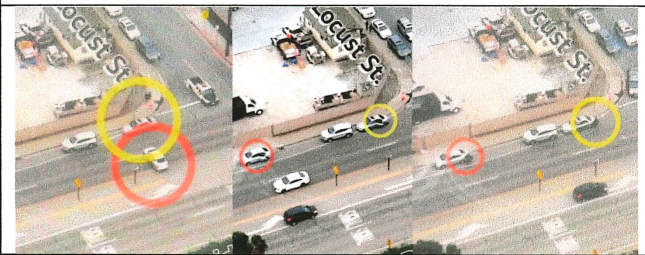
A much safer condition for PEDS on Rodriguez from 2nd St. Visible crosswalks in place, a 4-WAY STOP, Bike Lanes, etc.

14. 25 MPH SIGNS BEFORE 1ST

Traveling west on HWY 129, two 25 mph speed limit signs. After the signal at Walker, traffic speeds increase significantly.

An unsafe student drop-off condition after Walker: Drivers no longer assume 25 mph after Walker St, and quickly accelerate to speeds up to 50 mph or more before Locust St.

15. In this video frame sequence to the right it shows cars making U-turns and dropping off students, some to the driver's side into the vehicle traffic lane. The speeds of traffic here are between 40 mph and 50 mph, and there is no room for pedestrians to be in this arterial lane.



16. WB HWY 129 AREA BEING USED AS DROP-OFF & PICKUP

An unsafe student drop-off condition after Walker: accelerate to speeds up to 50 mph or more before Locust St.

17. LOCUST ST. BLOCKAGE

Pickup Truck with large Industrial Flatbed Trailer BACKING into the driveway of an industrial use right across the street from the CEIBA Prep School. Blocks Locust St traffic during maneuver, and driver has blind spots towards the sidewalk, might not see students walking there.

Locust St at W Riverside (Highway 129)

An unsafe condition for students

Traveling NORTHBOUND on Locust St. Date: 9/27/2022 TUE, 4:20 pm

FIGURE 3. DRIVE THROUGH DASH CAM, AND REAL WORLD HAZARDS WITNESSED

These are screen shots from video of drive through ("DRIVE THROUGH, HAZARDS SEEN"), found on PRISM webpage:
<https://www.prism.engineering/watsonville-ceiba-school-traffic-and-safety-investigation.html>

THE CEIBA STUDENT / FAMILY HANDBOOK POLICY ON STUDENT DROP OFFS. The families of numerous students are not adhering to the schools official Student / Family Handbook which addresses how students are to be dropped off at and picked up from the school campus, to avoid creating safety compromise on the surround street system. The policy does not include allowing for the current chaotic and dangerous parking and pedestrian activity taking place on Highway 129 (and other roads) during the AM and PM peak hours. Parents are parking their cars in a narrow shoulder area (6 feet of pavement barely wide enough for a car, and behind the highway's wide edge line). It may appear to parents to be a "parking area," but it is not a parking area. Just like on a freeway, if there is a paved shoulder area to the right of the wide white edge line, this area is designated as a temporary emergency parking or vehicle breakdown area, and it is still a dangerous thing to do, to stop in these areas on a freeway. On Highway 129 there is not a single parking space delineated from Walker Street to Sakata Lane primarily because this paved shoulder separated by solid wide edge line is NOT a parking area, or a loading zone area. Parallel parking maneuvers should always be done only on roads that have very slow speeds, and where parking is obvious and customary. These CEIBA student parking maneuvers are taking place in random and rapid fashion as parents jockey their cars into an "available spot" while doing so on a high speed highway with no room for error risking rear-end or broadside accidents with Highway 129 through traffic. Figure 4 shows this section of Highway 129 and its dimensions.

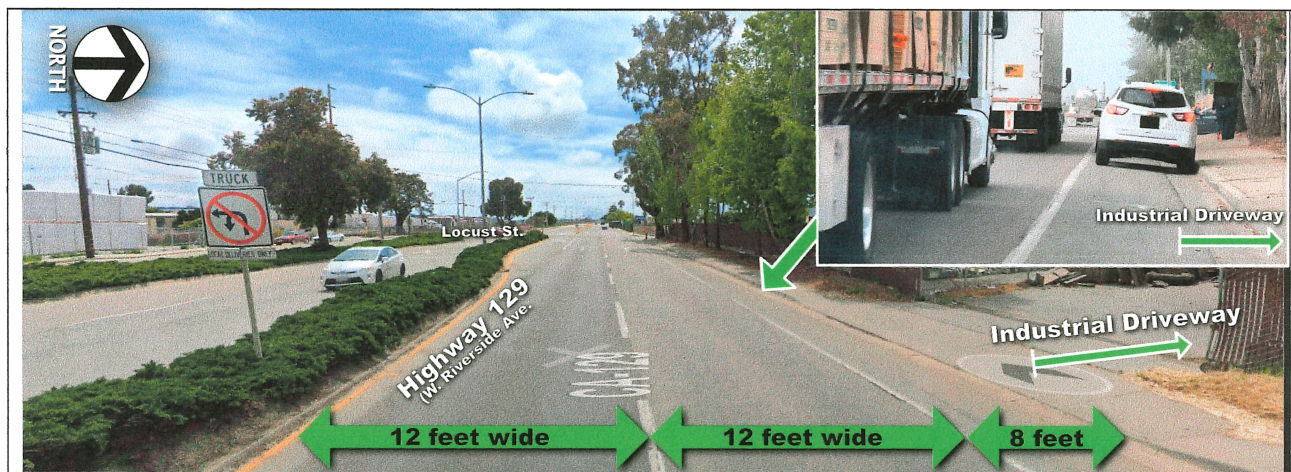


FIGURE 4. HIGHWAY 129 (W. RIVERSIDE AVE.) SOUTHBOUND BEFORE LOCUST STREET

This traffic activity is specifically ***not allowed*** in the school's policy document, but this significant and dangerous activity shows how difficult it is for a school to control the private behavior of the parents of the children who attend their school by merely creating ***unenforceable policy language***. These parents are mingling their parallel parking conflicts with high speed semitruck traffic that frequents the Highway 129 corridor, typically traveling at fairly high speeds in the right-most lane immediately adjacent to the shoulder area where the illegal parking or loading zone is taking place, leaving only a foot or two between the edge of truck and the car doors of those using the shoulder as a loading zone (dangerous). These large and wide trucks, typically 8.5 feet wide (almost 3 feet wider than a small car) and in a 12 foot wide lane, cannot stop on a dime. When traveling at 50 mph a semitruck needs 700 feet to come to a complete stop, and at 25 mph needs a full 250 feet to stop. It is not possible to stop

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in time under any reasonable scenario there, with just the short 400 feet distances of these block faces filled with cars that can jump out into the path of a truck at any time where the loading / unloading is taking place. It should be noted that the curb on Highway 129 is NOT painted green, customary to the CA MUTCD manual which specifies how and where traffic control devices and paint or markings are to be installed.

In addition, many parents are trying to get their cars proximate to Locust Street corner to save time, and end up parking outside of the striped shoulder area, straddling the edge line that curves to the “unmarked crosswalk” corner. This creates more conflicts with vehicles that are trying to enter or exit Locust Street at Highway 129, and who cannot make the turn easily because of these vehicles in the way, and end up having to overextend (extra wide path) their turn movement and cause conflict with other vehicles that are not expecting encroachment into their pathway.

The CEIBA policy document “**STUDENT / FAMILY HANDBOOK**” (2022-23, Board Approved August 9, 2022)³ addresses how student drop off is to take place on page 21 and says:

“Pick-Up, Drop-Off and Dismissal

For your student’s safety, please ensure that he/she is picked up promptly upon their dismissal and that you **follow pick-up and drop-off procedures at all times**. Once students are dropped off at school, they must remain on campus until they are picked up at the end of the day. **Students who are being picked up after school must remain on campus until they are picked up.**

If you will not be the one picking-up your student, it is imperative that you make clear arrangements with your student. Please notify the office ahead of time (at least 1 hour before dismissal) if there are changes so that we can inform your student. In order to keep students safe, alleviate traffic congestion, and maintain a positive relationship with the City of Watsonville, we ask that **parents/guardians respect all traffic laws during drop-off and pick-up.**

All traffic for Ceiba College Prep must enter from and exit to Locust. Parents/guardians and students are not permitted to enter from Riverside Drive. **All drop-off and pick-up must take place on Ceiba property. Students and parents/guardians are not permitted to drop-off or pick-up in the neighboring lots or surrounding neighborhood.** All traffic on Ceiba property is one-way only. Traffic flows around the building, counterclockwise. **Parents/guardians and students must use the designated drop-off and pick-up zones.** Students must wait in the designated pick up zones after dismissal.
(emphasis by PRISM Engineering)

³ Found at <https://www.ceibaschools.org/apps/pages/handbook> From page 1: “This Family-Student Handbook serves to provide... policies and procedures...also **serves as a contract between students, families, and Ceiba**. Please review it carefully with your student, then **sign and return the acknowledgement form** to indicate that you have read and understood the Family-Student Handbook.”

TRAFFIC REVIEW OF CEIBA COLLEGE PREP SCHOOL

Note that the policy prohibits all student drop offs or pick-ups at ANY location other than directly on the CEIBA property (see red text). This obviously is not happening despite the contract and signed form by all parents and students. We know it is not happening because of the abundant ground level video survey taken by PRISM Engineering to document traffic activity off the CEIBA property, as well as our 72 minute contiguous aerial drone videos during drop off and pick up times. These videos on the ground and in the sky document the NUMEROUS external drop off and pick up events that are taking place on Highway 129's narrow shoulder, on the Locust Street parking areas or by double parking in the street to let students out, or on 2nd Street including at the corner of Locust Street, etc., all surrounding the CEIBA property and beyond. The vast majority of students that are walking onto the CEIBA property from Locust Street are coming from a nearby location at Highway 129 where they were dropped off (and in the afternoon walking out to be picked up in the same locations). This is also happening along Locust and Second Street where parents/guardians are exercising their personal option to avoid coming on to the CEIBA campus site and having to wait in long lines. They are opting for shorter drop off and pick up times by ignoring and disobeying the CEIBA rules.

Solution: *There is no solution as long as parents continue to choose to dangerously drop off and pick up their children along the Highway 129 narrow shoulder to save some time. If the school personally monitored this activity daily, and punished offenders for not keeping their contract, maybe it could be reduced. But the root of the problem is ultimately parents are trying to save themselves some time despite the dangers, with the activity of dropping their kids off for school and not on the CEIBA site as agreed. Nobody wants to wait in a long line of congestion, the kind of delays that happen for all parents using the CEIBA site for drop off and pick up. Even if CEIBA could get all parents to comply to their policy contract, it would cause even more significant and problematic traffic jams on Locust Street and extending into Highway 129, backing into and possibly causing blockage to Highway 129 westbound through traffic approaching Locust Street. This could lead to serious rear-end accidents on the highway if Locust Street is blocked or congested.*

The California Manual of Uniform Traffic Control Devices (CA MUTCD 2014 ver.) states this about traffic goals where school traffic is involved. It basically states that we are to strive for uniform installations, conditions, and situations, so that drivers (or students) are not confused, which could lead to a dangerous condition. It states on page 1260 of the California MUTCD 2014 Edition (FHWA's MUTCD 2009 Edition, including Revisions 1 & 2, as amended for use in California), in PART 7, TRAFFIC CONTROL FOR SCHOOL AREAS, CHAPTER 7A. GENERAL, the following:

Section 7A.01 Need for Standards

Support:

01 Regardless of the school location, the best way to achieve effective traffic control is through the uniform application of **realistic policies, practices, and standards developed through engineering judgment or studies.**

02 Pedestrian safety depends upon public understanding of **accepted methods** for efficient traffic control. This principle is especially important in the control of pedestrians, bicycles, and other vehicles in the vicinity of schools. Neither pedestrians on their way to or from school nor other road users can be expected to move safely in school areas **unless they understand both the need for traffic controls and how these controls function** for their benefit.

03 **Procedures and devices that are not uniform might cause confusion among pedestrians and other road users, prompt wrong decisions, and contribute to crashes.** To achieve uniformity of traffic control in school areas, comparable traffic situations need to be treated in a **consistent manner**. Each traffic control device and control method described in Part 7 fulfills a specific function related to specific traffic conditions.

04 **A uniform approach to school area traffic controls assures the use of similar controls for similar situations,** which promotes appropriate and uniform behavior on the part of motorists, pedestrians, and bicyclists.

05 A school traffic control plan permits the orderly review of school area traffic control needs, and the coordination of school/pedestrian safety education and engineering measures. Engineering measures alone do not always result in the intended change in student and road user behavior.

The highlighted text (by PRISM Engineering) in this CA MUTCD standard is to emphasize the area of concern that I had while observing regular traffic on Highway 129 in an industrially zoned area, along with the CEIBA school traffic that was also taking place as a layer on top of or mixed with industrial traffic and large semitrucks. This area is not a typical area where schools are operated. In fact, there are so many challenges because of this industrial zone area, that it is not possible to have a school traffic plan that is uniform to other school traffic control. As the CA MUTCD states, “Procedures and devices that are not uniform **might cause confusion** among pedestrians and other road users, **prompt wrong decisions, and contribute to crashes.**”

My Opinions / Conclusions about this industrial area that make it a difficult fit for any school:

- Sidewalks are extremely narrow (4 ft), and three or more students cannot pass each other at a power pole without stepping off the sidewalk into the street due to power poles being within all sidewalks on Locust Street.
- There are no pedestrian loading zones on Highway 129, but parents are confused that this is an OK thing to do. If it were a loading zone the curb would be painted white to indicate this. White Curb means–Stop only long enough to pick up or drop off passengers.
- Sidewalks on Highway 129 are narrow (4 ft near Locust).
- A pedestrian loading zone would have a white curb as per CA Vehicle Code, but Highway 129 has no such curbs.
- Highway 129 has a narrow 8 foot paved shoulder from solid white edge line to the face of curb, but is not delineated with beginning and end of space by painting, which are typically 20 feet between markings. These do not exist on this segment of Highway 129.

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- Locust Street is very narrow (34 ft) and has parallel parking allowed on both sides. Large industrial trucks and school buses have great challenge to make the turns at corners such as at Second Street, especially when there is school traffic in the way.
- There is no room for a left turn pocket into the CEIBA driveway.
- All cars are navigating in 8 foot “lanes” on Locust, edge to edge, and must travel at less than 5 mph to pass each other safely. This is a dangerous situation for a stray student trying to j-walk.

RIDING A BIKE ON HIGHWAY 129 WB DURING AM CEIBA SCHOOL “DROP OFF” PARKING.

This section of Highway 129 (West Riverside Ave.) between Walker St. and Locust St. does not show any posted speed limit. However, cars are moving on the average, at least 44 mph which can be unnerving to a bike rider in this situation where the road has to be shared with traffic because of the parking that is taking place for drop off and pick up of students in what would be a bike lane normally on the paved shoulder and separated from the 45 mph lane by a wide edge line, typical of state highways. At the end of the video immediately past Locust St. a 45 mph sign can be seen. Because of the 45 mph nature of this long stretch of road, many drivers will be traveling at speeds much higher than 25 mph. In fact, our field survey with aerial videography showed that this is the case. With a 50th percentile speed of 50 mph.



In the video⁴ of a cyclist traveling west on Highway 129, it can be seen that parents of school students are waiting in their cars in the 8 foot wide paved shoulder area behind the solid white edge line, an area that could better be used as a bike lane. However, there is no provision for bicycles and so cyclists are forced to share the road with large trucks and cars which is a dangerous situation especially when

⁴ Can be viewed on <https://www.prism.engineering/watsonville-ceiba-school-traffic-and-safety-investigation.html> under the “Unsafe Bike Travel, No Speed Limit Present” section.

TRAFFIC REVIEW OF CEIBA COLLEGE PREP SCHOOL

there is no room for both. Vehicles must share the lane and go around a bicycle as shown in this video. A car door of a parked car could open anytime presenting more danger. If a cyclist rides on the sidewalk instead, there is the danger of opening car doors and collision with pedestrians. Overall, this is a highly dangerous condition because of the high speed nature of this road and the large vehicles which frequent it.

CEIBA SCHOOL TRAFFIC STUDY CONTENT REVIEWS AND CRITIQUE

ORIGINAL RBF STUDY FOR CEIBA CHARTER SCHOOL TRAFFIC ANALYSIS REPORT (JAN 10, 2013)

Stated in 3rd paragraph on P.2: *Due to the difficulty and long delays making left-turns in and out of Locust Street at the unsignalized intersection of Highway 129 (Riverside Drive) and Locust Street, it is anticipated that project trips will instead divert to the intersection of Highway 129 (Riverside Drive) and Walker Street, where the existing signal provides less delay and improved safety. As future traffic volumes increase along Highway 129 (Riverside Drive), the likelihood of these rerouting increases.*

Follow-up Question: Did these project trips “divert” to Walker Street to access Riverside Drive (Hwy 129)?

PRISM Engineering Answer: No, these trips did not divert to Walker Street as verified in our random aerial drone video that sustained the survey for well over an hour in the am peak hour, as well as the afternoon peak hour. The school traffic impacted Locust Street, the intersections of Second Street at Locust Street, W. Riverside Drive at Locust Street, and the westbound segments of Highway 129 (W. Riverside Avenue) between Walker Street and Sakata Lane. Drivers are using the shortest distances and did not divert to go up to Second Street and over to Walker Street to then travel south to W. Riverside Avenue to make a left turn or go straight at that signalized intersection. Most made a right turn out of Locust Street onto Highway 129 (W. Riverside Avenue) and then made a U-Turn at Sakata Lane to go east on Highway 129. The end result is that Highway 129 between Walker Street and Sakata Lane is heavily impacted by the CEIBA school.

TRAFFIC OPERATIONS STUDY BY HEXAGON TRANSPORTATION CONSULTANTS, INC. (DATED JUNE 8, 2022) for Ceiba College Preparatory Academy located at 215 Locust Street (formerly 260 W. Riverside Drive). This study was undertaken following the April 5, 2022, Planning Commission meeting. That study recommended to encourage more students and staff to ride bicycles, provide free bikes, and install bike racks (30 exist at CEIBA). Here is the language of this recommendation:

Bicycle Program. To encourage more students and staff to ride bicycles, School Administration staff shall provide a free bikeshare program, or give away bicycles to the students. Ceiba School currently provides bike racks located at the front entrance with a capacity of 30 bikes. During Hexagon’s field observations, seven bikes were observed parked on the racks during the school day. As of May 2022, school staff reported that at most 15 to 20 people have been observed to bike to school. (CDD-P)

Follow-up Question: Is it practical or feasible that bicycles can safely navigate the streets surrounding CEIBA's school site? Such as Locust Street, Highway 129, Second Street, etc.

PRISM Engineering Answer: No, this is not a safe idea to have bicycles share the road with vehicles on Locust Street because of the lack of width in the road. As previously identified, Locust Street is only 32 feet wide curb to curb, and there is parallel parking on each side taking about at least 6-8 feet per side. This leaves only 16-20 feet left over for vehicles to try and pass each other (average 9 foot unstriped "lane" for each direction). If a vehicle tries to pass a bicycle with such limited space, an accident is likely to happen. While it may be a good idea to save gas and improve air quality to recommend or encourage students to ride bikes, in this particular case with these very narrow industrial zone streets with parking on both sides, it is not a safe idea to mix bike traffic with large trucks and cars, and where they must share the road, but the bicycle is in the most danger. Unless Locust Street is repurposed to remove parking and stripe bike lanes on each side, it is not recommended to send bicycles into harm's way without these safety enhancing improvements. It is not feasible to repurpose Locust Street because of the existing industrial zoning and existing uses with large trucks and buses.

VIDEO SUMMARIES OF SURVEY DATA

Several videos have been prepared to document observations, and to provide traffic count data that is relatable to the CEIBA charter school traffic and pedestrian activity. The following videos have been prepared and can be viewed on PRISM Engineering's website under the following URL: <https://www.prism.engineering/watsonville-ceiba-school-traffic-and-safety-investigation.html>

DRIVE THROUGH, HAZARDS SEEN

INDUSTRIAL TRUCKS AND STUDENTS: AN EXAMPLE OF THE DANGERS OF MIXING THE TWO

CEIBA SCHOOL TRAFFIC PATTERNS, IMPACTING LOCUST STREET AND HWY 129 (W. RIVERSIDE AVE.)

CHAOTIC TRAFFIC. UNSAFE MANEUVERS. NUMEROUS ACCIDENTS WAITING TO HAPPEN.

HIGHWAY 129 (W. RIVERSIDE AVE.), UNSAFE BIKE TRAVEL, NO SPEED LIMIT PRESENT

TRAFFIC PATTERNS IN HEAVY INDUSTRIAL ZONE

APPENDIX

Large semitrucks need more distance to stop than do ordinary passenger vehicles. This chart shows the difference by illustrating the various values of stopping sight distance results using different brake system and driver performance criteria. Worst results are the top line showing conventional braking systems and ordinary drivers. The top line also represents the most likely situation: average driver and conventional brakes.

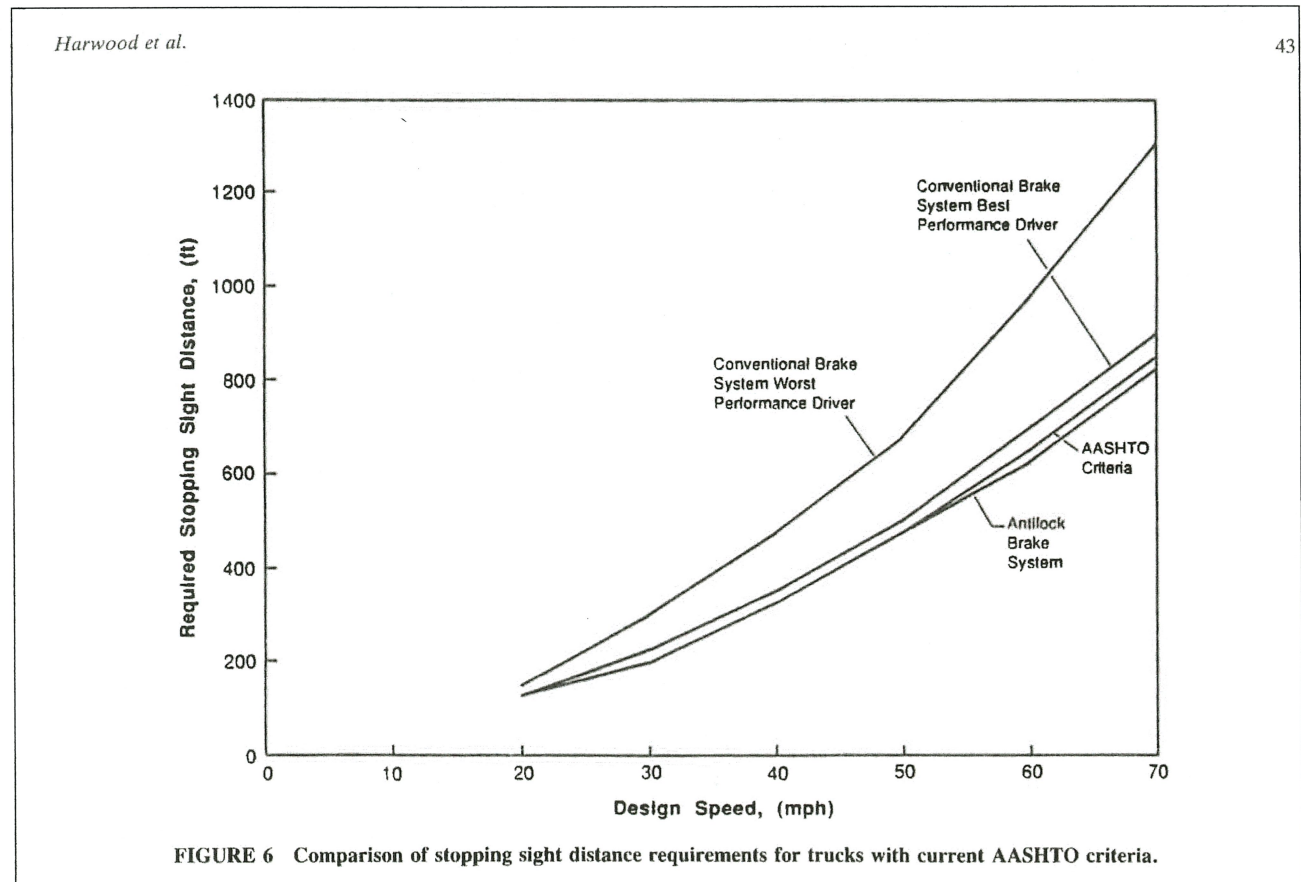


Exhibit 1. Figure 6 from Stopping Sight Distance Design for Large Trucks,
 From TRB.ORG publication TRANSPORTATION RESEARCH RECORD 1208

INFORMATION AND LISTENING/COMMUNITY MEETING
 MARTA QUESTIONS

Marta: Good evening. Thank you, Principal Ripp and Mr. Mendez, for chairing this community meeting. I have two questions. One:

Although highways are in the jurisdiction of Caltrans, does the City of Watsonville and Ceiba consider the shoulder of State Highway 129 in the vicinity of Ceiba an appropriate and safe drop-off and pick-up location for students?

TRAFFIC REVIEW OF CEIBA COLLEGE PREP SCHOOL

Adolfo: Um, Riverside Drive, is a State Highway. When you are referring to the shoulder, are you referring to the school side or

Marta: On the school side on the shoulder between Walker Street all the way to Sakata Lane and beyond to the 45-mile zone sign as well as to the No Parking zone sign.

Adolfo: So based on Caltrans standards, that's not a shoulder it's actually it's an improvement; it has an actual sidewalk, curb, and gutter, so pedestrian activity is allowed.

Marta: That's not my question. Let me specify my question.

Does the City of Watsonville and Ceiba School consider that part of Highway 129 a safe and appropriate drop-off location for students?

Adolfo: That zone, that section is a 25-mile-an-hour zone.

Marta: It actually extends to a 45 mile per an hour zone.

Adolfo: Actually, just north of the it's a 25 mile per an hour zone

Marta: That's where the drop off occurs.

Adolfo: So, it's a 25-mile zone.

Marta: Going to a 45-mile an hour.

Adolfo: Correct. But at that particular point is a 25-mile-per-hour zone. Current speed limits around school zones are 25 miles an hour. Is it a safe location? That would be up to Caltrans to determine if it is safe.

Marta: I've asked if the City considers that safe and appropriate.

So for Ceiba, Principal Ripp, do you consider that area of 129 a safe and appropriate drop-off and pick-up location, recognizing that the pick-up does start from Walker Street and extends beyond Sakata Lane, which is a 45-mile-an-hour zone.

Ripp: So Ceiba has a Safe Routes to School Plan, and we encourage all of our families to use the Safe Routes to School Plan to get to school. So some families come in on Riverside. Some come in on Second, and we encourage them to drive around Ceiba and enter and exit and never take a left onto our driveway or a left out of our driveway.

The reason I am emphasizing that, I know it sounds like I'm not answering your question, is that is our Safe Routes to School to go to school. However, families can choose to drive where they would like to go. Some families choose to drop off their kids at the library. Some families choose to drop off in the area you are describing, and some families choose to drop off over at Second. And if they are pulled over to the shoulder, that is their prerogative to make that decision.

Marta: And so you consider that a safe and appropriate drop-off?

Ripp: I just answered that question. We have Safe Routes to School where we go.

Marta: Great. Thanks

Marta: One last question: Why doesn't the City want a condition of approval that requires all student drop-offs and pick-ups to occur on the school property?

Adolfo: The school, is they do have a pick-up and drop-off within inside the school, and it is recommended that they do use the route within the school. Unfortunately, we, the City, cannot control where, you know, the parents choose to drop off kids. We have identified locations where they could safely drop off their kids or alternative locations and made those recommendations.

Marta: Thank you.

Exhibit 2. Responses from City and CEIBA RE: Student Drop Off Locations



City Council <citycouncil@cityofwatsonville.org>

(no subject)

Adrian Moran <adrianmoran675@gmail.com>

Thu, Feb 23, 2023 at 8:09 PM

To: citycouncil@cityofwatsonville.org

Hello, I'm from Ceiba. I'm in 9th grade. I don't want the school to close because I feel safer and feel that I learn better at Ceiba. Ceiba gave me a better education than other schools.



Irwin Ortiz <irwin.ortiz@cityofwatsonville.org>

Ceiba College and Khan Academy

Carmen Kotto <carmen.kotto@ceibaprep.org>

Fri, Feb 24, 2023 at 3:41 PM

To: citycouncil@cityofwatsonville.org, cityclerk@cityofwatsonville.org

Hello Watsonville City Council and City Clerk,

My name is Carmen Kotto and I have been the 7th grade math teacher at Ceiba College Prep for 7 years. I wanted to share a few videos with you of how our students perform on Khan Academy LearnStorm which is a nationwide learning competition that happens every fall. Ceiba students are consistently in the top 5 for LearnStorm. These videos have been seen nationwide by thousands of teachers and students.

The first video shows my former 7th grade students in math class.

The second video shows former students discussing their growth mindset. The young man in the video is currently a senior at Ceiba and just got accepted to **Berkeley**.

The third video shows Watsonville.

Khan Academy video showcasing Ceiba

1. KA Ceiba (with me and my students) <https://www.youtube.com/watch?v=knT1VOUCozQ&t=11s>
2. KA with students :<https://www.khanacademy.org/college-careers-more/learnstorm-growth-mindset-activities-us/elementary-and-middle-school-activities/working-through-mistakes-and-frustration/a/mistakes-can-be-good-if-we-learn-from-them>
3. KA Ceiba with Mr. Ripp and Watsonville :) <https://www.youtube.com/watch?v=bfwKeMf2vgI>

You are more than welcome to visit my classroom any time. Thank you so much for your time.

Carmen Kotto



City Council <citycouncil@cityofwatsonville.org>

Ceiba Charter School Zoning Amendment Agenda Item : February 28, 2023 Meeting1 message

Linda T. Taylor <linda@chauvellow.com>

Fri, Feb 24, 2023 at 3:27 PM

To: "eduardo.montesino@cityofwatsonville.org" <eduardo.montesino@cityofwatsonville.org>, "vanessa.quiroz@cityofwatsonville.org" <vanessa.quiroz@cityofwatsonville.org>, "maria.orozco@cityofwatsonville.org" <maria.orozco@cityofwatsonville.org>, "kristal.salcido@cityofwatsonville.org" <kristal.salcido@cityofwatsonville.org>, "casey.clark@cityofwatsonville.org" <casey.clark@cityofwatsonville.org>, "jimmy.dutra@cityofwatsonville.org" <jimmy.dutra@cityofwatsonville.org>, "ari.parker@cityofwatsonville.org" <ari.parker@cityofwatsonville.org>, "citycouncil@cityofwatsonville.org" <citycouncil@cityofwatsonville.org>
Cc: Ronald Chauvel <ron@chauvellow.com>

Dear Council Members,

See attached letter regarding zoning amendment.

Linda T. Taylor

Office Manager

Senior Legal Assistant to Ronald C. Chauvel, Esq.

Chauvel & Glatt, LLP

[66 Bovet Rd., Suite 280](#)[San Mateo, CA 94402](#)

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182K

February 24, 2023

Watsonville City Council
City of Watsonville
275 Main Street, Suite 400 (4th Floor)
Watsonville, CA 95076

**Re: Ceiba Charter School Zoning Amendment Agenda Item
February 28, 2023 Watsonville City Council Meeting**

Dear City Council:

Please be advised that this firm represents Southwest Truck Service (“SWS”), a California corporation, which is located at 275 and 350 Pine Street, Watsonville, California. SWS has reviewed the Public Hearing Notice in regard to the Zoning Map Amendment and Use Permit relative to the operations of Ceiba College Preparatory Academy.

SWS operates large commercial tractors and trailers to transport refrigerated and dry food and other products from its facilities located at the above addresses. Trucks and trailers are parked at both of the above locations, are constantly moving across Pine Street between these locations, and move to and from these locations numerous times each day to provide transportation to customers.

SWS wishes the school the very best. However, SWS opposes any proposal or application that would result in students being dropped off or traversing the area on and around Pine Street where it provides trucking services as this would be dangerous and create major safety issues for persons travelling to or from said school. (SWS request that the Council deny the zoning amendments and relates use permit.)

Very truly yours,

CHAUVEL & GLATT, LLP



Ronald C. Chauvel

RCC:ltt

Cc: Client

Eduardo Montesino, Mayor (District 1) at eduardo.montesino@cityofwatsonville.org

Vanessa Quiroz-Carter (District 2) at vanessa.quiroz@cityofwatsonville.org

Maria Orozco (District 3) at maria.orozco@cityofwatsonville.org

Kristal Salcido (District 4) at kristal.salcido@cityofwatsonville.org

Casey K. Clark (District 5) at casey.clark@cityofwatsonville.org

Jimmy Dutra (District 6) at jimmy.dutra@cityofwatsonville.org

Ari Parker (District 7) at ari.parker@cityofwatsonville.org

Contact All Members at citycouncil@cityofwatsonville.org